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# New York History

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DOROTHY C. BARCK, *Editor*

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## ELECTION PROCEDURES AND PRACTICES IN COLONIAL NEW YORK

NICHOLAS VARGA \*

NEW YORK's government was significantly altered in 1691. Prior to this year, the Province had been regularly ruled by an appointed governor and council. In 1691, Governor Henry Sloughter arrived in New York with a commission authorizing him to convene a representative assembly. William III, thus, had granted what New Yorkers had been unsuccessfully demanding from his Stuart predecessors. In 1691, what New Yorker could doubt that the accession of William and Mary was indeed a "Glorious Revolution"? Thereafter, the legislative power was exercised by a tri-partite combination of royal governor, appointive council and an elective assembly. The establishment of a representative body made it possible for New Yorkers to wield their "Cheifest Birthright," i.e. the vote. Once the vote had been granted, there were still a number of unresolved choices facing the Province. Who should vote? How was the vote to be cast? How were candidates to be chosen? In answering these and other questions, New Yorkers elaborated an electoral procedure which determined, in large measure, the character of their representative agency. The choices made, the reasons or rationalizations used, and a description of the electoral process in colonial New York are the subjects of this essay.

New Yorkers determined the characteristics of their election procedure during the decade from 1691 to 1701. The very first Assembly passed the Declaratory Act in 1691. This law, among other things, defined the qualifications for voting. An elector had to be a freeholder and a freeholder was

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"everyone who shall have fourty shillings per annum" on a freehold tenure.<sup>1</sup> Contemporaneously, Massachusetts defined its electorate as anyone who owned either a £40 estate or a forty shilling freehold.<sup>2</sup> Robert E. Brown's recent study of the Bay Colony electorate clearly demonstrates that the property qualification had not limited the franchise to an "aristocracy."<sup>3</sup> No similar study is yet available on New York but the relative value of a forty shilling freehold may be estimated by several comparisons. Forty shillings was equivalent to five days pay for a militia captain or about forty days pay for a private.<sup>4</sup> It was equivalent of about a week's wages for an Assemblyman.<sup>5</sup> Forty shillings was the value of a law suit which could be summarily decided by a justice of the peace.<sup>6</sup> Against such points of reference, the forty shilling requirement does not appear particularly formidable.

The forty shilling qualification was maintained only until 1699 when New Yorkers re-defined their franchise. This re-defining of the voting qualifications did not arise from any strongly felt dissatisfaction. Some action had to be taken because the Crown in 1697 had repealed the Declaratory Act.<sup>7</sup> In the Election Act of 1699, voters were described as persons, twenty-one years old, "dwelling and resident," having "Land or Tenem'ts Improved to ye vallue of fforty pounds" for at least three months before the issuance of election writs. Freemen of either New York City or Albany could also vote if they were of age and had acquired their freedoms three months before the dispatch of the election writs. Candidacy was regulated by similar qualifications so there was no great yawning gap between the Province's electorate and its representatives. The remainder of the Election Act specified how sheriffs were to conduct the actual voting.<sup>8</sup>

As something of an afterthought, three modifications were introduced in 1701. A mortgage would not constitute a disqualifying encumbrance if the freeholder still possessed the property and also received the income. A £40 freehold, held during the lifetime of a man and his wife, would be sufficient to qualify a man to vote. Both these provisions tended to increase the number of voters by easing the property require-

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ment. The third provision of the Election Act of 1701 had the contrary effect. No "papist" could vote or stand for office unless he took oaths which were known to be abhorrent to Catholics.<sup>9</sup> Though this disenfranchisement had no special coercive procedure, this part of the election laws undoubtedly had the desired effect. Few candidates would have relished the support of a Catholic voter and fewer candidates would have hesitated to challenge a "papist's" vote that might be cast for an opponent.<sup>10</sup> It was on the basis of the Election Acts of 1699 and 1701 that colonial New Yorkers elected their Assemblymen.

Did these two laws create a narrow and restricted electorate? Was this the intention of the lawmakers? The second question may be answered more easily. The two Election Acts had been produced by a popular governor (Earl of Bellomont), a complacent Council which had been "packed" by Bellomont, and an Assembly dominated by "Leislerians."<sup>11</sup> Bellomont, one of earliest supporters of William and Mary, had distinguished himself by his attacks on certain extravagant land grants.<sup>12</sup> He would hardly have favored restricting the franchise in such a manner that a few large landholders could control the representative branch of the legislature. His allies, the "Leislerians," were no more likely than Bellomont to foster "aristocratic" control. The men of "Leisler's party" were identified by their enemies as having little property.<sup>13</sup> When in 1702 the "Anti-Leislerians" came to enjoy the confidence of a new governor, Lord Cornbury, they repealed the two election laws as a preliminary step to a revision of the franchise. They also attempted to re-apportion the Assembly seats in such a fashion as to shift the political "center of gravity" to Albany and New York City.<sup>14</sup> Had the re-apportionment been successful, the "Anti-Leislerians" or "Jacobites" (as they were sometimes called) would have been free to revise the franchise to perpetuate their temporary dominance. The Crown, however, disallowed the Act, repealing the election laws, and also the Re-Appportionment Act.<sup>15</sup> Not only had the election laws been written by the more "liberal" elements in colonial New York but the Crown had

also protected these laws against an attack by the "gentry." The failure of the "Anti-Leislerians" reestablished the election procedure of the 1699 and 1701 laws. Curiously then, if these laws had established a narrow electorate, it was the responsibility of the more numerous "Leislerians," a popular governor and the Crown. The Election Acts do not appear to have been designed to create a restricted group of voters.

Some historians, at the end of the nineteenth and the beginning of the twentieth centuries, assumed that the property qualification necessarily restricted the franchise to a privileged handful. From Albert Edward McKinley's assertion that probably no more than 16% of the colonial population could vote, writers have falsely concluded that voting was restricted to an "aristocracy." Yet in fact, not more than twenty percent of the colonial population were adult white males. Considering the margin of error in these statistics, there does not appear to have been a significant disparity between the voters and the adult white males.<sup>16</sup> Even today, without property qualifications, no more than 60% of the population is eligible to vote.<sup>17</sup> If one were to discount the women and the negroes, the remaining ratio of voters to population would come rather close to McKinley's figure for colonial times.

Men of the eighteenth century, unlike their posterity, did not consider all property qualifications obnoxious. Blackstone, for instance, believed property to be the necessary condition for the free exercise of one's political choice. Without property or its equivalent in a useful trade, a man was dominated by the will of his economic overlord. His vote, therefore, would not represent a free choice but would merely give greater weight to the will of the wealthy. Blackstone professed to see no objection to universal suffrage if the voter were free of undue pressure.<sup>18</sup> Paradoxically, then, property qualifications had been introduced to insure freer elections and not specifically to restrict the franchise.

On the face of it, the Election Act of 1699 had not been designed to limit voting to the "gentry." First, the political interests of Bellomont and the "Leislerians" would not have



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been served by such restrictions. In addition, the Act's declared purpose was to guarantee each subject the enjoyment of his "Cheifest Birthright," "without Disturbance and molestacion."<sup>19</sup> The detailed character of the Act with a more precise definition of voting qualifications, as well as specific directions on how elections were to be conducted, appears as the appropriate response to election-day riots and disputes which had occurred just before the enactment of the 1699 Act.<sup>20</sup> There is at least a *prima facie* case for asserting that the Act was supposed to protect all voters against uncertainty and harrassment rather than limit the vote to "the better sort."

Whether or not the franchise was broadly distributed would depend on the distribution of property. William Smith, the historian, believed wealth to be more equitably distributed in New York than in Boston.<sup>21</sup> New York land was also more desirable than the rocky soil of Massachusetts for migrants followed the arc of the sun.<sup>22</sup> Furthermore, an acre of land around Schenectady was worth about £45 in the early 1750's.<sup>23</sup> Thus, less than an acre of land and some buildings would have satisfied the property qualifications if one lived near Schenectady. Though a man probably had to acquire greater amounts of land in other parts of the Province, this should not have been difficult since labor commanded a premium wage rate.<sup>24</sup> Crèvecoeur, at the very end of the colonial period, published two anecdotes to illustrate how common it was for an industrious person without capital or connections to acquire a respectable landed estate in New York.<sup>25</sup> The Province's electorate, therefore, tended to be broad rather than narrow—composed of many rather than few.

Even when the broadness of the colonial franchise has been granted, writers have insisted that in some colonies an "aristocracy" could still determine the outcome of elections. Charles S. Sydnor considered such forces operative in colonial Virginia and identified the county courts as the strongholds of the "aristocracy."<sup>26</sup> New York's county justices and judges, on the other hand, do not appear to have been chosen from among the "better sort."<sup>27</sup> Only in Albany and West-

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chester were names like Van Rensselaer and Philipse occasionally listed among the county judiciary.<sup>28</sup> County affairs in New York were administered by popularly elected officers or men appointed by the governors. After 1720, county appointments were "cleared" with some favored Assemblyman. Which representative got "the Administration" of the county depended entirely on the whim of the governor.<sup>29</sup> Thus, the technique of the Virginia "aristocracy" does not appear to have been available to the "gentry" of New York.

Neither landlords nor creditors controlled the voting against the determination of their tenants or debtors. In 1751, the Clermont Livingstons planned to invade the Livingston Manor elections with their own candidate. They were confident of winning even if the proprietor opposed their nominee.<sup>30</sup> This may be discounted since the tenants would be voting for a Livingston in either case—whether he had been endorsed by the proprietor or not. In 1769, however, Judge Robert R. Livingston lost the Dutchess County seat when the tenants of his father-in-law and those of his cousin voted against him.<sup>31</sup> John Thomas of Rye entered Provincial politics in 1737 by standing for election against Colonel Frederick Philipse, one of Westchester's leading figures, and then charging Philipse with corruption when he lost. The Assembly, though it had no great regard for Philipse, rejected Thomas' charges.<sup>32</sup> So far, it would seem as if the Westchester County "gentry" had held their ground. Six years later, Thomas was inexplicably elected and served in the Assembly for the remaining thirty odd years of the colonial period.<sup>33</sup> During the 1750's, Daniel Corsen, the Richmond County Clerk, judiciously husbanded his loans to influential electors. Nevertheless, neither his web of credit nor his support for a non-sectarian college proved attractive enough to win election.<sup>34</sup> In the Albany election of 1751, a politically ambitious lawyer, William Corry, opposed the candidates supported by his creditors. Corry advised his friends and neighbors to vote for William Johnson's candidates. Corry hoped to avoid voting, himself, but was willing to cast the deciding ballot for Johnson's candidates if the election

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proved close. Corry noted, however, that if he did vote he would need £100 shortly after the election.<sup>35</sup> These five instances should create some doubt about how effective the "gentry" were in controlling elections. The mere existence of landlords and creditors did not automatically place the votes of their tenants and debtors at the disposal of the economic overlords. The main object of property qualifications, according to Blackstone, was to limit the effectiveness of such pressures. There were also large tracts of land still waiting the plow and alternative sources of credit.

The most judicious estimate of the size and freedom of the colonial electorate is probably that made by George Bancroft. "The elective franchise [in the colonies]" he wrote, "was more equally diffused . . . representation, which was universal, conformed more nearly to the population . . . in America there was more personal independence, and far more of popular power, than in England."<sup>36</sup> Unfortunately, Bancroft's judgment has not yet been quantified for all the colonies.

When and how, then, did New Yorkers exercise their franchise? Between 1691 and 1775, they cast their votes in about thirty-one General Assembly elections. Four of these elections had been necessitated by the deaths of reigning monarchs.<sup>37</sup> Twenty-five had been conducted after governors, for one reason or another, had dissolved the General Assembly.

Dissolutions were prompted by motives much like those behind Governor George Clinton's five dismissals between 1743 and 1753. A few days after Clinton arrived in New York, he dissolved the Assembly because New Yorkers were fearful if a new governor did not hold an election within a few weeks of his arrival.<sup>38</sup> About two years later, Governor Clinton dissolved the Assembly for having failed to provide a large enough Indian subsidy and for having attempted to specify where fortifications were to be built. This latter action was an "encroachment" on Clinton's authority as Captain-General.<sup>39</sup> In addition, the dissolution may have been triggered by the desire of Clinton's "premier," James DeLancey, to settle some old political scores.<sup>40</sup> Two years later, in

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1747, the Governor again sent the Assemblymen back to the hustings when they published a remonstrance against his express prohibition. The remonstrance had accused Clinton of embezzling the Indian subsidy.<sup>41</sup> The next dissolution came in 1750 because George Clinton decided it would be too embarrassing for him to meet the twenty-fifth General Assembly with which he had quarreled over annual salary appropriations. "All the friends of the Government," wrote Clinton, "were unanimously of opinion that I could not meet the late Assembly without prostituting the honor of Government."<sup>42</sup> The final dissolution of Clinton's term occurred in 1751 when the Assembly, in effect, called the Governor a liar.<sup>43</sup> Reasons as weighty and as trivial as these dictated when representatives were chosen in about five-sixths of the elections.

About midway in their experience with elections, New Yorkers recognized the need for some more regular sequence. They could choose between two extremes: either the annual elections of New England or the septennial elections of the mother country. In 1734, Stephen DeLancey, a wealthy merchant and father of the Chief Justice, raised the question by asking the Assembly to permit him to introduce a bill for more frequent elections. After some discussion, the Assembly avoided the extremes by resolving on a three year term. DeLancey (representing the city), Frederick Philipse and Lewis Morris, Jr. (who held seats for Westchester), were delegated to prepare the bill.<sup>44</sup> Though the DeLancey bill was passed by the lower house, it was blocked in the Council where Governor William Cosby presided.<sup>45</sup>

No further attention was given the matter until after the death of Cosby. Then, in 1737, Lewis Morris Jr. revived interest in a triennial bill. Morris' bill was passed by the Provincial legislature but the Crown disallowed it for not conforming to the laws of England.<sup>46</sup> It was almost twenty years since Parliament had changed from a triennial to a septennial term. When a new governor, George Clinton, arrived in 1743, a Septennial Act was quickly passed.<sup>47</sup> Thereafter, no New York Assembly could sit for longer than seven

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years, but there was no guarantee that any Assembly would remain in office for that long. As already noted, Governor Clinton dissolved the Assembly four times after the passage of the Septennial Act and did not use it once. The Act was invoked only twice—in 1758 and 1768.<sup>48</sup> The exercise of the royal prerogative, therefore, gave New Yorkers a frequent if irregular opportunity to vote. Their laws after 1743 insured that no Assembly was more than seven years removed from a general judgment.

Until 1734, New Yorkers chose a gradually increasing number of representatives. The number rose from nineteen to twenty-seven as the population increased and spread over the Province. After the admission of Phillip Verplanck as the representative for Cortlandt Manor, the size of the Assembly remained unchanged for almost forty years. New York City, throughout the colonial period, enjoyed the pre-eminence of four seats in the Assembly. Each of the other nine counties (Suffolk, Queens, Kings, Richmond, Westchester, Orange, Ulster, Dutchess and Albany) elected two representatives. The remaining five seats were filled from privileged municipal corporations and manors in Albany and Westchester counties. In the former, the town of Schenectady, Rensselaerwyck and Livingston Manor each elected one Assemblyman. In the latter, the Borough of Westchester and Cortlandt Manor enjoyed the same privileges. This distribution of seats was unchanged until 1773 when the erection of two new counties (Tryon and Charlotte) brought four more men into the Assembly.<sup>49</sup> At the mid-point between the admission of Verplanck and the erection of the new counties, the distribution of seats fitted the population rather well except for a little under-representation for Long Island and some slight over-representation for the Hudson River valley. Since the River population was expanding more rapidly than that of the Island, this slight disproportion may have served to stifle any latent "back-country versus tidewater" animosities.<sup>50</sup>

Eighteenth century New Yorkers, however, did not analyze their government and politics so much in demographic as in

economic terms. On this latter basis, the two major economic "interests" were almost equally balanced in the Assembly. The New York-Westchester-Albany representatives tended to join forces when tax quotas were being apportioned. These Assemblymen represented the "mercantile interest." The representatives from the remaining counties were the "landed interest."<sup>51</sup> The division between these two "interests" was so evenly balanced that the shift of a few votes in 1746 saved New York City from having to pay almost half the taxes to "sink" an issue of paper money.<sup>52</sup> Representation, whether viewed in demographic or economic terms, appears so equitably distributed and so evenly balanced that no single area or "interest" could dominate the Assembly.

After an Assembly had been dissolved, the governor initiated the formal election process by dispatching writs to the sheriffs. The governor was free to issue election writs at the moment he dissolved the General Assembly or to delay indefinitely. The governor's need for money to make his administration "easy" precluded any long delay between the dissolution and issuance of election writs. Governors used their discretion carefully. George Clinton consulted his advisers on the most advantageous day to send out the writs.<sup>53</sup> Once the writs were dispatched, the Election Act of 1699 required their return within six weeks. The governor could specify any date within the legally required six weeks by which the sheriffs must return the writs with the names of the winning candidates.<sup>54</sup> As the governor could decide when to dispatch the writs, so the sheriffs could decide on the precise day for an election within the limits imposed by either the governor or ultimately the law.

Such discretion was justifiable even though it permitted the sheriffs to "play politics." Voters were ordinarily required to travel to the county seat in order to declare their choice. Since the condition of roads and the level of creeks varied from county to county, sheriffs had to be permitted some discretion over the election date. As always with such arbitrary discretion, it could be used to favor one or another of the candidates. A sudden call might surprise the more phleg-

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matic politicians; the election might be delayed until a thaw or flood had cut off part of the county.<sup>55</sup> Establishing a uniform date for elections was no more acceptable than the practice of permitting sheriffs to choose a convenient day. In 1700, Governor Bellomont was denounced by some of the "gentry" for having arranged with his sheriffs to call elections simultaneously in most of the counties. Voters with widespread property holdings objected because this prevented their voting in more than one county.<sup>56</sup> Sheriffs were the favorite targets for charges of fraud, corruption and favoritism. Administrative discretion, vested in the sheriffs, certainly gave an odor of plausibility to these accusations. As often as not, the Assembly would declare that the accused sheriff had not interfered "unduely."<sup>57</sup> There were obviously two edges to a sheriff's discretion. He or his successor might yet be persuaded to use his influence to support some other candidate in the future.

Whomever the sheriffs served, it is doubtful that they used their powers for the governor's benefit. Occasionally, a governor might be accused of appointing a new sheriff in order to affect the outcome of an election.<sup>58</sup> Had the governors regularly used their sheriffs in this fashion, the *Assembly Journals* and other documents should have been filled with charges of interference. In fact such charges were rare; they were apt to be made by the victorious candidates.<sup>59</sup> These accusations, therefore, sprang from a desire for fame more often than a thirst for justice. Governor-baiting was a respectable pastime.

While officials were making arrangements for the election, voters began discussing the relative merits of possible candidates. These discussions combined the nominating procedure and campaigning. In his description of this process, Carl Becker emphasized the importance of the "aristocracy" in the choosing of candidates. Becker had nominations and elections turning on whom "Sir William [Johnson] or Col. Livingston" supported.<sup>60</sup> If the negotiations for the Albany elections of 1761 were typical (and there is no indication

that they were not), the actual process was not quite so simple as Becker maintained.

The elections of 1761 resulted from the death of George II. Late in January, the twenty-eighth General Assembly was dissolved. Albany's two Assemblymen at the time of the dissolution were Judge Jacob H. Ten Eyck and Volkert P. Douw, Albany's Recorder. These men represented antagonistic groups in Albany. On the last day in January, the freeholders were surprised by the sudden arrival of election writs; they had expected a more leisurely call. On that very night, certain politically inclined burghers began consulting concerning an acceptable brace of candidates. The quondam merchant-attorney-sheriff, Abraham Yates, was approached by four men: John R. Bleecker, an important figure in Albany's second ward; John Henry Lydius, formerly Sir William Johnson's rival with the Mohawks and currently alderman for Albany's first ward; John Hansen, an assistant from the second ward; and "Curry" which probably referred to William Corry. Yates was asked whether he would be willing to stand with Ten Eyck. Ostensibly, Yates demurred because of recent business losses. On the following day, Yates met Abraham Ten Broeck, scion of an old Dutch family and not yet wedded to the Van Rensselaer family. He offered to put up £50 if Yates would stand for one of the Albany seats while Ten Broeck came in for Rensselaerwyck. Yates still refused to run. On the next day, February 2, Yates changed his mind when he learned that Ten Eyck and Douw had joined forces. Yates immediately consulted Ten Broeck, who this time merely promised his "vote and interest."<sup>61</sup> About this time, Robert Livingston, third proprietor of Livingston Manor, offered £50 to cover the election expenses of a Yates-Ten Broeck combination but the Livingston offer had no effect on Ten Broeck.<sup>62</sup> Yates also discovered that Ten Broeck had "double-crossed" him by openly supporting the Ten Eyck-Douw ticket. Ten Broeck had joined Ten Eyck and Douw because he needed Douw's assistance to get the Rensselaerwyck seat. Being friendly to both Yates and Ten Broeck, Robert Livingston held aloof from the election. Sir William



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Johnson supported a "stranger."<sup>63</sup> Thus, the "gentry" appeared in these negotiations as interested spectators rather than as active participants.

A similar conclusion arises from another account of a more formal nomination meeting. In January, 1752, Chief Justice James De Lancey and his merchant brother, Oliver, met with some aldermen to consider which candidates to support and what slogans to use in the forthcoming election. The anonymous account of the meeting was meant to discredit the De Lanceys as imperious "Baases" and the aldermen as spineless sycophants. Yet the discussions invariably followed the whims of the aldermen. The candidates they wanted were to be supported. Oliver De Lancey's suggestion of an anti-lawyer slogan was dismissed with sharp retorts from "Alderman Grains" and "Alderman Bowry."<sup>64</sup> In this retort, Chief Justice De Lancey, the second most powerful official in the Province and its wealthiest citizen, was portrayed as accommodating himself to the desires of weaker and poorer men. This can not be taken as the objective of the "squib" since the only hope of De Lancey's opponents was to appeal to the aldermen and others of the "middling sort."<sup>65</sup> Without realizing it, the author of the report presented a picture of the De Lanceys deferring to the desires of underlings.

Thus, while the "gentry" played some role in nominating candidates, theirs was not the simple power of designation. There was instead a rather broad canvass among the civil and military officers of the county, the local clergy, as well as some of the more "civic-minded" freeholders.<sup>66</sup> These citizens tried to settle on candidates for whom most of the electors would vote. It was considered desirable to avoid an election contest.<sup>67</sup> Rarely were matters of policy discussed when candidates were being evaluated. In 1750, William Johnson departed from this custom. He agreed to support the candidates of his political and economic enemies in order to secure payment on his claims against the Provincial treasury and the enactment of certain laws. Johnson fulfilled his part of the bargain but the Assemblymen, who were supposed to help Johnson, suffered a convenient lapse of memory after the

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election.<sup>68</sup> Failure to honor pre-election agreements would hardly recommend the practice.

There was no consistency in nominating full and opposed slates of candidates. The first example of two complete "tickets" appeared in the 1699 election for the four City seats.<sup>69</sup> Thereafter, the incumbent Assemblymen tended to announce their candidacy jointly but "tickets" seem to have disappeared.<sup>70</sup> In 1761, Robert Livingston drew the obvious lesson from Yate's failure to win against Ten Eyck and Douw—" . . . the people in general will chuse the whole number and will not be prevailed upon to chuse one when two are wanted. . . ." <sup>71</sup> The voters of New York City were again given the opportunity to choose between two full and opposed slates in the last colonial election. Significantly, the "tickets" in 1770 had been constructed with an eye to the ability of the candidates to draw votes rather than differences or similarities of policy.<sup>72</sup> New York's colonial elections, therefore, appear to have turned on personalities rather than policies—a condition not unknown today.

During the canvassing, a candidate could only make a limited appeal to the electorate. "To ask a man for his Vote," wrote one New Yorker, "is a Confession in the Candidate that he is suspicious of his own merit. 'Tis proof of his Apprehensions that the Sense of the Public is against him." <sup>73</sup> The candidate could, nevertheless, make a very formal announcement of his intention to stand for election. In announcing his candidacy, a New Yorker would claim that his neighbors and friends had prevailed on him to seek office. He declared his willingness to serve if elected. The announcement would regularly end with an appeal for the "Interest, Vote and Poll" of the voters.<sup>74</sup> Except for the confidence of his neighbors and friends, a candidate would not offer any reason why the electors should choose him.

On rare occasions, this restrained formula was modified. In 1748, the candidates for re-election, David Clarkson, Cornelius Van Horne, Henry Cruger and Paul Richards appealed to the City voters:

If securing your Rights and Privileges from Arbitrary

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Power be of any Concern to you; if you are satisfied your late Representatives [i.e. Clarkson *et al.*] have done their best to secure them against the greatest Opposition with the utmost hardships, Fatigues and Ill-Treatment, your chusing them again is a reasonable Return.<sup>75</sup>

This departure from the customary reticences may be explained by the bitter feelings that existed between Governor Clinton and these Assemblymen.<sup>76</sup> Such anxious appeals were usually issued anonymously or by a candidate's partisans.<sup>77</sup> The latter were not so narrowly restricted in their appeal to the electorate. It was customary for men, favoring some candidate, to visit their friends and ask directly for their votes. Such door-to-door solicitations sometimes went so far as visiting other counties.<sup>78</sup> There was, however, a basic antipathy to the "outsider" even when he lived nearby.<sup>79</sup> Thus, the circle of solicitation was rather limited.

In addition to direct appeals, partisans might also try to scatter the opposition by using "whispering campaigns." In 1737, Speaker Adolph Philipse and his New York City colleague David Clarkson became so alarmed by a rumor they would not seek re-election that they paid for a public denial.<sup>80</sup> Philipse, after considerable difficulty, was re-elected while Clarkson had to wait two years before he returned to the Assembly. About a quarter of the century later, John Morin Scott also advertised in order to kill a canard that he did not really intend to run for election. Scott proclaimed his intentions in two newspapers. Even so, Scott lost the 1761 election by seventy odd votes.<sup>81</sup> There is no way of judging how effective the rumors had been in either case but "whispers" appear to have contributed to the difficulties of some candidates.

Sometimes election campaigns were enlivened by written propaganda. It was not too unusual for copies of the Assembly *Journals* to be distributed. If an Assemblyman were particularly proud of his record, he would arrange to send copies of the *Journals* around his constituency. His rivals might use an indifferent record in the same way.<sup>82</sup> Once, in 1747, the Assemblymen voted to publish their memorial to the gover-

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nor and ordered ten copies for each member. These were handed out to the electorate and may have influenced the voters to support the incumbents since most of them were returned.<sup>83</sup> In 1768, broadsides importuned the City electorate “. . . that no man will vote for a lawyer, unless he prefers the craft of the Law, to the Business of merchants. . . .”<sup>84</sup> The slogan apparently succeeded for the one lawyer-candidate was defeated. If the extant quantity of such printed materials bears any direct relation to the amount published, then one may safely conclude that written appeals and attacks did not play a large role in colonial elections.

The scurrying about for votes reached its final stage when the sheriff posted the election notice. One such notice in 1750 read:

By Virtue of His Majesty's Writ to me directed, Commanding me to give warning to the Freemen and Freeholders of my Bailwick; that they assemble and meet together at some convenient Place and Time to Elect and Choose four able and sufficient Freeholders, pursuant to two Acts of the General Assembly of this Province; so that they may appear and be at New York, on Tuesday the fourth day of September next ensuing, to assist our Captain General and Governour in Chief, in and over said Province of New York, in a General Assembly of our said Province:

I do hereby give warning to the said Freemen and Freeholders that they do assemble and meet on the Green or Commons near the Work-House of this *City*, on Munday, the 27th of August next, between the hours of 10 and 12 o'clock in the fore-noon, to elect and choose four sufficient Freeholders for the purpose aforesaid.

John Ayscough, Sheriff.<sup>85</sup>

Notices in the other counties were probably phrased like this one except for specifying a different location.

As election day drew near, the candidates and their supporters made their final preparations. Food and drink had to be offered the voters before they cast their choice. Perhaps a tavern near the election site was hired, or some friendly

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householder would set a table and man the spigot.<sup>86</sup> There were votes to be bought at forty shillings per head; vote-hunters to organize; sleds (in winter) and carriages to hire.<sup>87</sup> No records were kept of these election expenses but offers of assistance ranged from twenty to fifty pounds.<sup>88</sup> Repeated dissolutions were distasteful and expensive to incumbent Assemblymen. Nevertheless, Clinton's five dissolutions between 1743 and 1753 did not make the Assemblymen willing to compromise their disputes with the Governor nor had the frequent elections lessened the ranks of representatives. Almost half the members of Clinton's first Assembly were still on the rolls when Clinton left the Province.<sup>89</sup> Even though the cost was high, a number of New Yorkers considered the position of Assemblyman well worth it.

There is only one complete description of how elections were conducted. This appeared in Zenger's *New York Weekly Journal* for November 5, 1733. It is an account of a tensely contested by-election in Westchester County. Though the eagerness of the candidates and their partisans may have heightened some details, the exaggeration may serve to make the process somewhat clearer. Beyond necessity, using this account may be considered somewhat analogous to Plato's reading of "the larger letters." New Yorkers may not have enjoyed so long a parade or made such elaborate preparations for each election, and yet all elections had something of the tang of that 1733 Westchester election.

The vehemence of the contests arose from preceding events. In April, Governor William Cosby had dismissed Lewis Morris Sr. from the Supreme court and replaced him as Chief Justice with James De Lancey. Later in the year, one of the Westchester representatives died. This gave Morris an opportunity to seek a popular "vindication," and he became a candidate to fill the vacant seat. The "court," i.e. the supporters of Cosby, put up William Forester, a schoolmaster connected with the Anglican Society for the Propagation of the Gospel. Just before the election, Cosby appointed Forester county clerk.<sup>90</sup> Thus the election involved important and antagonistic forces.

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Morris and his partisans, acting the role of beleaguered defenders of liberty, organized very carefully. Since Cosby's sheriff, Nicholas Cooper, had not specified the exact hour of the election, Morris posted fifty men around the Eastchester green on the night before the election. Their duty was to guard against any surprises. Simultaneously, Morris sent men to the far corners of the County to lead organized parades to the election site. Along the road to Eastchester, the marchers were fed and entertained. One group reached New Rochelle about midnight; there it stopped and built a bonfire, and the voters amused themselves until daylight. At cock crow, the cavalcade re-formed and marched on to Eastchester. This parade, when it was sighted at the top of the hill near Eastchester, was met by a troop of seventy horsemen, from the opposite end of the County. The vanguard, then, led the parade down to the green.

At the edge of the green, a new point was added to the parade. Two trumpeters rode at the head of the column; then came three violins; next came four "leading" freeholders. One of the freeholders waved a banner which had "KING GEORGE" emblazoned in gold capitals on one side and "LIBERTY AND LAW" on the other. Following these came the candidate, Lewis Morris. Two flags were carried behind him. Then came the body of the parade which reportedly included about three hundred horsemen. They all circled the green three times. After so brave a show, the formation disbanded to consume the food and drink which Morris had thoughtfully provided at two nearby houses. One can well imagine the backslapping, guffaws and shouted greetings which must have punctuated the gulps of food and swallows of liquor.

At eleven o'clock, William Forester's parade appeared. According to the newspaper account, he had only two ensigns and these were carried by men of meaner status than Morris' standard-bearers. Following these ensigns were Chief Justice James De Lancey and Judge Frederick Philipse, two of the wealthiest freeholders in Westchester County. The body of Forester's parade was supposedly made up of only one hundred and seventy horsemen. As Forester and his column

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circled the green, they shouted "No Land Tax!" The Morris-men responded "No Excise!" These slogans seem to have been taken from contemporary British elections and do not appear to have had any specific reference to New York affairs.<sup>91</sup> While Forester's horsemen were churning up the dust, there began an exchange of ragging insults. "No pretender!" someone shouted. Before the epithets became too heated, both sides retired to their respective buffets and taps to wait for the Sheriff.

Such shouting of insults and slogans appears to have been a fairly common feature in New York's elections. During the 1737 election in New York City, one voter loudly vowed that he'd choose the devil rather than Adolph Philipse. Another proposed to cut out the tongue of anyone who voted for Philipse. A third offered to play hangman, if Philipse were the main attraction. Such exclamations finally roused Philipse's supporters to organize a counter-demonstration. They then gave as good as they got.<sup>92</sup> In 1768, Oliver DeLancey and his cohorts posted themselves at the approaches to the City's election green. From these vantage points, they coaxed and bullied each voter as he strode to the poll.<sup>93</sup> All this cheering and shouting seemed to add to the festive occasion.

There were also devious stratagems to be played. For instance, Morris, in 1733, apparently feared that the election might be called before his supporters had gathered on the green. Four years later in another Westchester election, John Thomas had some of his City friends decoy opposition voters into leaving the County on election day. Thomas' colleagues baited their invitations with the prospect of profitable business deals. Even so, Thomas lost the election.<sup>94</sup> Probably the most ominous attempt to trick or intimidate the electorate occurred in 1695. The author of the "plot" can not be identified with certainty but accusations named the irascible Governor Benjamin Fletcher, Captain William Kidd, the soon-to-be-famous "pirate," and another man, Giles Shelley, who may have been a ship's officer. Rumors were spread about the City that anyone who voted "incorrectly" would be impressed. During the voting, soldiers and

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sailors were posted among the voters. The soldiers and seamen had not come to vote but instead carried clubs. No New Yorker was spirited off to serve on the seas for the stratagem had its desired effect.<sup>95</sup> Fortunately, such crude methods were not often repeated.

After each of the contending knots of voters had played its tricks and shouted its slogans, the decisive stage was reached when the sheriff appeared to conduct the actual voting. In 1733, Sheriff Cooper arrived on the Eastchester green at about noon. The voters gulped their beef and swallowed the bottom dram of rum then filed out on to the green. Sheriff Cooper read the election writ and bade the voters divide according to which candidate they favored. This was the "vote." After surveying the crowd on one side and the group on the other, Sheriff Cooper was supposed to declare which candidate had more votes—Morris or Forester. Cooper, instead, refused to make any proclamation because, said he, someone had called for a "poll." Cooper's enemies claimed that he had been the one to call for oral and recorded voting. Ordinarily, it was the prerogative of the candidates to demand a "poll."

On that autumn afternoon in 1733, it took about two hours to set up the tables and benches at which clerks, appointed by Cooper, could record each voter's choice. Meanwhile, Morris and Forester had appointed "inspectors" to see that the clerks kept an accurate record and that only qualified freeholders voted. About two o'clock, the poll began. Each voter presented himself to the Sheriff, candidates, clerks, inspectors, and the assembled company of electors. In full view and hearing of such an audience, each man declared his choice. His vote was then recorded on the poll list next to his name. There were probably murmurs of approval and disapproval as each vote was cast. Last minute persuasions must have been exercised on the edge of the assembly. Presumably, spigots on the rum, cider and beer kegs were kept open to fill busy mugs. In some cases, this liquid appeal may have proven the most persuasive.

Oral and recorded voting, though abhorrent to modern



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men, was quite acceptable to pre-Revolutionary New Yorkers. It was, in fact, the customary method throughout the colonies. Eighteenth century men believed that the "poll" encouraged honesty.<sup>96</sup> Even during the nineteenth century, political writers of the stature of John Stuart Mill fought against the secret ballot as unmanly.<sup>97</sup> On one occasion in 1769, some New Yorkers demanded a secret ballot in order to prove that Judge Robert R. Livingston was indeed the free choice of the Livingston Manor electorate.<sup>98</sup> The Assembly, dominated by the rival "DeLanceys," refused to permit the innovation and used its powers to prevent the Judge from taking his seat.<sup>99</sup> There was really no significant agitation for the secret ballot in colonial New York.

Whatever one may consider the disadvantages of oral voting, no other method was feasible. A secret ballot would require prior registration. The colonial property qualification would also have necessitated keeping detailed personal records. Without prior registration and adequate records, there was no way to deal with potentially invalid votes if a secret ballot had been used. Oral voting permitted a man's choice to be recorded and left his qualifications to be decided later. If he were proven to be unqualified, his vote could be easily expunged. With a secret ballot, election officials have to be sure that a voter is qualified before he casts his vote.

The problem of voting qualifications arose during the 1733 election in Westchester. Forester's "inspectors" insisted that the Sheriff administer the freeholder's oath to a wealthy Quaker. The Quaker demurred but was willing to give his affirmation. This had been acceptable in the past. Sheriff Cooper, however, refused to permit the Quaker to affirm, insisting on the full oath. By this tactic, about forty substantial Quaker freeholders were prevented from voting for Morris.<sup>100</sup> This was the first and last instance of Quakers' losing their vote because they refused to swear that they owned a £40 freehold. Probably the ease with which Morris won the election, even without the Quaker votes, discouraged other politicians from using the same tactic.

Four years later, however, Jewish votes were challenged

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but with different results. In 1737, the Jews of New York City voted for Speaker Adolph Philipse. Cornelius Van Horne asked the Assembly to cast aside the votes of Jews and of non-resident freeholders. On September 23, Joseph Murray, one of New York's leading lawyers who was representing Philipse, referred to the Provincial laws according to which "all freeholders of competent estate, without excepting the descendants of Abraham" could vote.<sup>101</sup> William Smith Sr., the "Zengerite" lawyer then representing Van Horne, successfully appealed to the laws of England and to anti-semitic prejudice to exclude Jews from voting. Smith's eloquent harangue moved the Assembly to resolve that votes of Jews would not be counted.<sup>102</sup> Jews thus joined Roman Catholics in becoming another disenfranchised minority and in both instances, discrimination had been inflicted by the efforts of the more "liberal" elements. Incidentally, Philipse won the election when the Assembly accepted the votes of non-resident freeholders.<sup>103</sup>

The dispute over non-resident voting was one of New York's most persistent quarrels. Election laws merely required a voter to have a £40 freehold. By judicial construction and parliamentary usage, a person resided wherever he owned property.<sup>104</sup> During the Philipse-Van Horne election dispute, James Alexander (abetting William Smith, his colleague in the Zenger trial) argued "that a personal residence was as requisite in the elector, as communion of interests in a competent freehold."<sup>105</sup> This was a novel doctrine, for the New York Assembly consistently upheld the right of a freeholder to vote in as many places as he held the requisite property.<sup>106</sup> Furthermore, New Yorkers defended non-resident voting because a prohibition of the practice would have meant imposition of taxes on a freeholder without his consent.<sup>107</sup> The question of non-resident voting, though raised repeatedly, was invariably settled in favor of the voter. The dispute, therefore, was a lawyer's "chicane" rather than a symptom of "democracy."

Even with challenges and tricks, the poll would not often last more than a few hours. In some elections, there was only

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one slate of candidates so the process took no more time than it took to read the writ and for the crowd to shout its approval.<sup>108</sup> In the last three colonial elections, the poll was open in New York City for several days.<sup>109</sup> This was unusual for few elections were contested for longer than one day. Whenever it became clear that one brace of candidates had won, the remaining candidates were expected to concede. During the Westchester election of 1733, it took nine hours before Forester conceded to Morris. The vote then stood 231 for Morris and 151 for Forester. Forester and the Sheriff wished Morris "much Joy." After some apologies and congratulations, the crowd huzzaed. The Sheriff wrote Morris' name on the writ and sealed it. It was customary for everyone present to adjourn to the nearest tavern where the winning candidate was expected to treat all the electors (regardless of how they had voted) to more drink and food.<sup>110</sup> Sometimes there were fireworks.<sup>111</sup> In the last two decades of the colonial period, it became fashionable in New York City to donate celebration money to the vestry for distribution to the poor.<sup>112</sup> Elections ended with a cheer, and toasts.

There still remained one possible addition to the winner's expenses. The loser could petition the Assembly for a "scrutiny." This usually involved some difference of opinion on the meaning of the election laws. After the legal dispute had been resolved, the Assembly still had to query the challenged voters as to whether they had been qualified to vote. A "scrutiny," therefore, forced both sides to hire lawyers and to pay for transporting the challenged electors to New York City. Occasionally, as in the 1739 Ulster dispute, the Assembly reduced the costs by permitting a committee to conduct the "scrutiny" at the County courthouse.<sup>113</sup> Although such petitions might be submitted in order to secure justice, losing candidates were known to appeal for no other purpose than to burden the winner.<sup>114</sup> There was obviously some hope that this election's winner would be amenable to some more prudent arrangement at the next election. By such methods, colonial New Yorkers elected their representatives.

Though different from modern voting practices, election

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procedures of two hundred years ago appear to have been reasonable for a basically agrarian society. There was an air of festivity about colonial elections. It was a "community game" in which several men and their supporters vied for the prize of office. The spirit of New York's elections had something of the flavor of the election Charles Dickens described in *The Pickwick Papers*. While New Yorkers had no precise equivalents for the "Bufs" and "Blues" of Eatonswill, they shared with those literary electors a roistering attitude toward choosing their representatives. Only our national nominating conventions still retain some of this spirit.

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<sup>1</sup> *The Colonial Laws of New York from the Year 1664 to the Revolution* (Albany, 1894), I, 245. The forty shilling qualification was taken from the English laws and had been used by Governor Thomas Dongan in 1683 when he convened a representative assembly at the behest of the Duke of York, then only lord proprietor of the Province. This short-lived assembly was notable for having produced the Charter of Liberties.

<sup>2</sup> Albert Edward McKinley, *The Suffrage Franchise in the Thirteen English Colonies in America* (Philadelphia, 1905), p. 353.

<sup>3</sup> Robert E. Brown, *Middle Class Democracy and the Revolution in Massachusetts, 1691-1780* (Ithaca, 1955), pp. 12-54.

<sup>4</sup> *Colonial Laws*, I, 320.

<sup>5</sup> William Smith, *History of the Late Province of New York* (New York, 1829), I, 306-307.

<sup>6</sup> *Colonial Laws*, I, 303.

<sup>7</sup> *Colonial Laws*, I, 244. The Declaratory Act, which was a close re-working of the Charter of Liberties, was repealed because it was considered improper for a subordinate corporation to define its rights.

<sup>8</sup> *Colonial Laws*, I, 405-408. The freemanship of New York City and Albany was based on medieval and Dutch practice rather than that of New England. Any person born subject to the British Crown or naturalized or having a letter of denization could become a freeman upon payment of the appropriate fee. To be listed as a "Merchant, Trader or Shopkeeper" a person paid £3 12s while a "Handy-craft Tradesman" paid £1 4s. A person born in the City paid only a nominal fee—probably no more than the clerk's fees. After 1702, the freedom of New York City could be granted without paying any fee at all. A number of men secured their freedoms under this dispensation. Robert Francis Seybolt, *The Colonial Citizen of New York City* (Madison, Wisconsin, 1918), pp. 4, 6, 14, 16, 18. In 1702, all the soldiers in the fort at the tip of Manhattan were also made freemen of the City. *Collections of the New York Historical Society*, XVIII (1885), 453. In the municipal elections of 1734, Stephen DeLancey got 15 or 16 of the soldiers to vote. *New York Weekly Journal*, October 7, 28, 1734.

<sup>9</sup> *Colonial Laws*, I, 452-453.

<sup>10</sup> McKinley believed that since the law contained no "punitive provisions" it probably was not strictly enforced. McKinley, *Suffrage Franchise*, p. 214.

<sup>11</sup> Smith, *History of the Late Province*, I, 126, 130; Earl of Bellomont to Lords of Trade, April 27, 1699, E. B. O'Callaghan, ed., *Documents Relating*

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to the Colonial History of the State of New York (Albany, 1856-1861), IV, 508 (hereafter cited as O'Callaghan, Documents).

<sup>12</sup> Smith, *History of the Late Province*, I, 134-135.

<sup>13</sup> Jerome Reich, *Leisler's Rebellion: A Study of Democracy in New York, 1664-1720* (Chicago, 1953); "Heads of Accusations against the Earl of Bellomont," March 11, 1700, O'Callaghan, Documents, IV, 621.

<sup>14</sup> McKinley, *Suffrage Franchise*, p. 212; *Colonial Laws*, I, 478.

<sup>15</sup> "Representation to the Queen in regard to Several Acts of New York," July 29, 1707, O'Callaghan, Documents, V, 25.

<sup>16</sup> Brown, *Middle Class Democracy*, pp. 44, 46, 52. New York's adult white males did not exceed the 20% ratio. O'Callaghan, Documents, IV, 420, VI, 133-134, 392, 550.

<sup>17</sup> *Statistical Abstract of the United States, 1957*, pp. 5, 351. The total population of the United States in 1956 was about 167 million. The number of adults was about 103 million. Only about 37% of the total population voted in 1956; this represented about 60% of the adult population. Thus, the ratio of eligible voters to total population and the ratio of actual voters to total population may be misleading. The important figure is the ratio of eligible voters to adults.

<sup>18</sup> William Blackstone, *Commentaries on the laws of England* (ed. William Draper Lewis) (Philadelphia, 1902), I, 171-174.

<sup>19</sup> *Colonial Laws*, I, 405.

<sup>20</sup> McKinley, *Suffrage Franchise*, p. 211; Earl of Bellomont to Lords of Trade, April 27, 1699, O'Callaghan, Documents, IV, 507-509.

<sup>21</sup> Smith, *History of the Late Province*, I, 277.

<sup>22</sup> Irving Mark, *Agrarian Conflicts in Colonial New York, 1711-1775* (New York, 1940), pp. 118-130.

<sup>23</sup> Smith, *History of the Late Province*, I, 265-266.

<sup>24</sup> George Clinton to Captain [Phillip] Cosby, May 10, 1752, Clinton Letter Book, 1752-1753 (Clements Library, Ann Arbor, Mich.), p. 50.

<sup>25</sup> Hector St. John de Crèvecoeur, *Letters of an American Farmer* (New York, 1945), p. 67. Crèvecoeur spent almost fifteen years in Orange County and supposedly had an aristocratic bias.

<sup>26</sup> Charles S. Sydnor, *Political Leadership in Eighteenth Century Virginia* (Oxford, 1951), p. 6. Sydnor, nevertheless, recognized that the "Virginia aristocracy" maintained its influence without restricting the franchise severely. "Nearly all landowners held more than enough land to qualify as voters, and most of them were not great planters but were farmers of moderate means owning few or no slaves." *Ibid.*, pp. 4, 14.

<sup>27</sup> *Independent Reflector*, September 13, 1753.

<sup>28</sup> Edgar A. Warner, *Civil List and Constitutional History of the Colony and State of New York* (Albany, 1888), pp. 439-445.

<sup>29</sup> Smith, *History of the Late Province*, I, 310; George Clarke to Horace Walpole, November 24, 1725, O'Callaghan, Documents, V, 769.

<sup>30</sup> James Alexander to Cadwallader Colden, December 5, 1751, *Collections of the New York Historical Society*, LIII (1920), *Colden Papers*, IV, 303-304.

<sup>31</sup> Peter R. Livingston to Phillip Schuyler, February 27, 1769, Schuyler Papers (N. Y. Public Library), XXIII.

<sup>32</sup> *Journal of the Votes and Proceedings of the General Assembly of the Colony of New York* (New York, 1764-1766), I, 711 (September 17, 1737). This Assembly voted to cut Phillipse's salary—a sure sign of displeasure.

<sup>33</sup> *Assembly Journal*, II, 1 (November 8, 1743).

<sup>34</sup> William Smith Papers (N. Y. Public Library) Box #207-214.

<sup>35</sup> William Corry to William Johnson, December 31, 1751, *The Papers of Sir William Johnson* (Albany, 1921-1953), I, 358-359.

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- <sup>36</sup> George Bancroft, *History of the United States of America* (Boston, 1879), III, 13.
- <sup>37</sup> William III, Anne, George I, George II.
- <sup>38</sup> *Assembly Journal*, II, 1 (September 27, 1743); Smith, *History of the Late Province*, I, 212, 216. In 1720, Samuel Mulford was expelled from the Assembly when he asserted that it was illegal for an Assembly to act after the arrival of a new governor without having been dissolved. *Assembly Journal*, I, 443 (October 26, 1720).
- <sup>39</sup> *Assembly Journal*, II, 61-62 (May 14, 1745).
- <sup>40</sup> Cadwallader Colden, "Remarks on the Representation of the Assembly," *o.* May 26, 1747, George Clinton Papers (Clements Library, Ann Arbor, Mich.), V; *New York Post*, September 23, 1751.
- <sup>41</sup> *Assembly Journal*, II, 202-205 (November 25, 1747).
- <sup>42</sup> George Clinton to Board of Trade, July 30, 1750, O'Callaghan, *Documents*, VI, 577.
- <sup>43</sup> *Assembly Journal*, II, 313 (October 14, 1751), 328 (November 20, 1751).
- <sup>44</sup> *Assembly Journal*, I, 660 (May 23, 1734).
- <sup>45</sup> *Assembly Journal*, I, 677 (November 16, 1734). Two years later, the ministry forbade the Province's governors from sitting and acting with the Council when it acted on legislative matters. Secretary Popple to William Cosby, January 23, 1736, O'Callaghan, *Documents*, VI, 40.
- <sup>46</sup> *Colonial Laws*, II, 951-952; "Report against the Triennial Act of New York," August 10, 1738, O'Callaghan, *Documents*, VI, 130.
- <sup>47</sup> Basil Williams, *The Whig Supremacy, 1714-1760* (Oxford, 1952), pp. 157-158, *Colonial Laws*, III, 295-296.
- <sup>48</sup> Smith, *History of the Late Province*, II, 273; *Journal of the Votes and Proceedings of the General Assembly of the Colony of New York, Begun the 17th Day of November, 1767, and ended by Dissolution the 6th of February, 1768* (reprint, Albany, 1820), p. 92. (February 6, 1768).
- <sup>49</sup> *Assembly Journal*, I, 663-669 (June 10, 22, 1734); *Journal of the Votes and Proceedings of the General Assembly of the Colony of New York, Begun the 5th of January, 1773, and ended by Prorogation on the 8th of March Following* (reprint, Albany, 1820), pp. 12 (January 11, 1773), 41 (February 2, 1773).
- <sup>50</sup> Charles Worthen Spencer, "Sectional Aspects of New York Provincial Politics," *Political Science Quarterly*, XXX (1915), 416.
- <sup>51</sup> Spencer, "Sectional Aspects," p. 420; Beverly McAnear, "Mr. Robert R. Livingston's Reasons Against a Land Tax," *Journal of Political Economy*, XLVIII (1941), 63-90.
- <sup>52</sup> *Assembly Journal*, II, 95-97 (February 8, 1746), 109 (April 25, 1746).
- <sup>53</sup> George Clinton to Cadwallader Colden, January 6, 1752, *Collections of the New York Historical Society*, LIII (1920), *Colden Papers*, IV, 306-307.
- <sup>54</sup> *Colonial Laws*, I, 406.
- <sup>55</sup> Cadwallader Colden to John Catherwood, January 3, 1748, George Clinton Papers, VII; Cadwallader Colden to George Clinton, January 24, 1748, *ibid.*
- <sup>56</sup> "Heads of Accusations against the Earl of Bellomont," March 11, 1700, O'Callaghan, *Documents*, IV, 621.
- <sup>57</sup> *New York Post*, April 24, 1749; *Assembly Journal*, I, 710 (September 13, 1737), 712 (September 21, 1737). In 1761, Adam Lawrence, sheriff of Queens, was censured for having acted "unduely and illegally." This was unusual. The Assembly voided the original election; then Lawrence issued two returns in the ensuing election. The object of this maneuvering was to re-elect David Jones. The scheme failed. *Assembly Journal*, II, 656 (April 3, 1761), 657 (May 6, 1761), 678 (December 9, 1761).
- <sup>58</sup> "Articles of Complaint against Governor Cosby by Rip van Dam,"

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December 17, 1733, O'Callaghan, *Documents*, V, 975; *New York Post*, January 25, 1748.

<sup>59</sup> *New York Weekly Journal*, November 5, 1733, *New York Post*, January 25, 1748.

<sup>60</sup> Carl Becker, "Nominations in Colonial New York," *American Historical Review*, VI, (1901), 265. Incidentally, Becker was mistaken about the Schenectady election of 1745. William Johnson (who would not be created a baronet for another decade) did not assist Edward Holland—nor is there any evidence that Governor Clinton had asked Johnson to assist "a certain Mr. Holland" as Becker maintained. Becker, "Nominations," p. 266. Edward Holland was Johnson's business agent and therefore, well-acquainted. Edward Holland to William Johnson, January 15, 1745, *Papers of William Johnson*, I, 24. Secondly, Holland solicited Johnson for his vote and support. Edward Holland to William Johnson, June 7, 1745, *ibid.*, p. 32. Finally, Johnson did not help Holland. Edward Holland to William Johnson, June 25, 1745, *ibid.*, p. 37. "I find there has been tough work at Schenectady. I am sorry you was Pre-ingaged. I hope still to Defeat my antagonist. . . ." Holland's reference to Johnson as "Pre-ingaged" can mean either that he was busy with other matters or actually supported Holland's rival. In either case, Becker's assertion about the 1745 election rested on shaky factual evidence.

<sup>61</sup> Abraham Yates, Jr. to Robert Livingston, February 16, 1761, Autograph Letter Series, Abraham Yates Papers, (N. Y. Public Library), I, #70.

<sup>62</sup> Robert Livingston to Abraham Yates, Jr., February 4, 1761, Autograph Letter Series, I #66.

<sup>63</sup> Abraham Yates, Jr., to Robert Livingston, February 16, 1761, Autograph Letter Series, I, #70.

<sup>64</sup> *New York Gazette Revived in the Weekly Post-Boy*, February 3, 1752.

<sup>65</sup> *New York Weekly Post-Boy*, January 18, 1748; *New York Post*, January 25, 1748.

<sup>66</sup> Richard Miller to William Johnson, July 31, 1750, *Papers of William Johnson*, I, 293; William Smith, Jr. to Silas Leonard, January 20, 1755, William Smith Papers, Box #207, 214.

<sup>67</sup> William Johnson to the Voters of Canajoharie, July, 1750, *Papers of William Johnson*, I, 293; Henry Beekman to Henry Livingston, January 6, 1750, Henry Beekman Letters (N. Y. Historical Society); *Holt's New York Journal*, April 12, 1770.

<sup>68</sup> John Ayscough to William Johnson, December 19, 1750, *Papers of William Johnson*, I, 313.

<sup>69</sup> Earl of Bellomont to Lords of Trade, April 27, 1699, O'Callaghan, *Documents*, IV, 508; Thomas E. V. Smith, *Political Parties and their Places of Meeting in New York City* (New York, 1893), p. 5.

<sup>70</sup> *New York Weekly Post-Boy*, October 10, 1743, November 30, 1747, July 30, 1750.

<sup>71</sup> Robert Livingston to Abraham Yates, Jr., February 16, 1761, Autograph Letter Series, I, #71.

<sup>72</sup> *Holt's New York Journal*, April 12, 1770.

<sup>73</sup> *Independent Reflector*, July 5, 1753.

<sup>74</sup> *New York Post*, January 11, 1748; *New York Weekly Post-Boy*, July 30, 1750; *Weyman's New York Gazette*, February 2, 1761.

<sup>75</sup> *New York Post*, January 11, 1748.

<sup>76</sup> George Clinton to Cadwallader Colden, January 14, 1748, George Clinton Papers, VII; John Rutherford to William Johnson, January 7, 1748, *Papers of William Johnson*, I, 127.

<sup>77</sup> *New York Mercury*, February 16, 1761; *New York Gazette or Weekly Post-Boy*, February 5, 1761.

<sup>78</sup> William Johnson to George Clinton, January 6, 1750, George Clinton Papers, X; George Clinton to Cadwallader Colden, February 9, 1750, George

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Bancroft Transcripts, Colden Papers (N. Y. Public Library), I, 142.

<sup>79</sup> *New York Post*, September 26, 1748. An anonymous writer denounced an alderman who tried to influence the outcome of elections in a neighboring ward.

<sup>80</sup> *New York Gazette*, May 9, 1737.

<sup>81</sup> *New York Gazette or Weekly Post-Boy*, January 29, 1761; *New York Mercury*, February 2, 1761, February 23, 1761.

<sup>82</sup> Henry Beekman to Henry Livingston, December 19, 1751, "A Packet of Old Letters," *Dutchess County Historical Society Yearbook*, 1921, p. 34; Robert R. Livingston to Phillip Schuyler, January 28, 1769, Schuyler Papers, XXIII.

<sup>83</sup> *Assembly Journal*, II, 198 (November 12, 1747).

<sup>84</sup> "New York Broad-sides, 1762-1779," *New York Public Library Bulletin*, III (1899), 23.

<sup>85</sup> *New York Post*, August 6, 1750.

<sup>86</sup> Henry Beekman to Henry Livingston, January 23, 1752, "A Packet of Old Letters," p. 35; *New York Weekly Journal*, November 5, 1733.

<sup>87</sup> Robert Livingston to Abraham Yates, Jr., February 8, 1761, Autograph Letter Series, I, #68; Hendrick Fry to William Johnson, February 2, 1752, *Papers of William Johnson*, I, 363.

<sup>88</sup> Robert Livingston to Abraham Yates, Jr., February 4, 1761, Autograph Letter Series, I, #66; Robert Livingston to Abraham Yates, Jr. February 8, 1761, *ibid.*, #68. In 1751, Henry Beekman agreed to pay one half the costs for Henry Filkin in the Dutchess County by-election. Henry Beekman to Henry Livingston, December, 1751, Henry Beekman Letters.

<sup>89</sup> They were: Paul Richards and Cornelius Van Horne for the City; John Thomas of Westchester; Phillip Verplanck of Cortland Manor; John Lecount of Richmond; John Lott, Kings County; both Thomas Cornell and David Jones of Queens; William Nicoll of Suffolk; Henry Beekman from Dutchess County; Peter Winne of Albany and Robert Livingston representing Livingston manor.

<sup>90</sup> Smith, *History of the Late Province*, II, 7.

<sup>91</sup> *New York Weekly Journal*, November 19, 1733. The slogans would refer to the broad division between the "landed" and "mercantile interests" rather than a hotly contested matter of immediate concern.

<sup>92</sup> *New York Gazette*, September 19, 1737.

<sup>93</sup> *Holt's New York Weekly Journal*, April 12, 1770.

<sup>94</sup> *New York Gazette*, September 19, 1737.

<sup>95</sup> "Proceedings of the Lords of Trade Concerning Mr. Livingston's Petition," August 28, 1695, O'Callaghan, *Documents*, IV, 127-128; "Proceedings of the Board of Trade on Mr. Livingston's Case," September 14, 1695, *ibid.*, p. 128.

<sup>96</sup> Charles S. Sydnor and Noble E. Cunningham, Jr., "Voting in Early America," *American Heritage*, IV (1952), 6.

<sup>97</sup> V. O. Key, Jr., *Politics, Parties and Pressure Groups* (2nd edition, New York, 1948), p. 550. The movement for a secret ballot did not achieve any success until the late nineteenth century.

<sup>98</sup> "A Handbill in Favor of Elections by Ballot Published December 1769," William Smith Papers, Box #198, 206; *The Case of the Manor of Livingston and the Conduct of the Honorable House of Assembly Towards It Considered* (New York, 1769), p. 3.

<sup>99</sup> *Journal of the Votes and Proceedings of the General Assembly of the Colony of New York, Begun the 21st day of November, 1769 and ended by Prorogation on the 27th day of January, 1770* (reprint, Albany, 1820), p. 66 (January 9, 1770); William Smith, *Historical Memoirs of the Province of New York or Journal of Public Events* (Mss. Div., N. Y. Public Library), VIII, 2-12.



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<sup>100</sup> *New York Weekly Journal*, November 5, 1733. Morris had been tutored by a devout Quaker but was a communicant of the Church of England.

<sup>101</sup> Smith, *History of the Late Province*, II, 38.

<sup>102</sup> Smith, *Memoir*, III, 189-190; *Assembly Journal*, I, 712 (September 23, 1737).

<sup>103</sup> Smith, *History of the Late Province*, II, 40.

<sup>104</sup> Smith, *Memoir*, 190; *Journal of the Votes and Proceedings of the General Assembly of the Colony of New York, Begun the 4th day of April, 1769 and ended by Prorogation on the 20th day of May Following* (reprint, Albany, 1820), p. 60 (May 12, 1769).

<sup>105</sup> Smith, *History of the Late Province*, II, 40. Alexander and Smith had been associated in the Rip Van Dam and Zenger trials.

<sup>106</sup> *Assembly Journal*, I, 712 (September 23, 1737); *Journal of the Votes and Proceedings of the General Assembly of the Colony of New York, Begun the 27th day of October, 1768 and ended by Dissolution on the 2nd day of January, 1769* (reprint, Albany, 1820), p. 24 (November 17, 1768). The exception to this general rule occurred in certain municipal charters. In the Borough of Westchester, a non-resident Freeholder could not vote—or at least the Assembly so ruled in 1768.

<sup>107</sup> *Journal of the Votes and Proceedings of the General Assembly . . . 4th day of April, 1769 . . . 20th day of May Following*, p. 28 (April 14, 1769).

<sup>108</sup> *New York Weekly Post-Boy*, September 3, 1750.

<sup>109</sup> *Weyman's New York Gazette*, February 23, 1761; *A Copy of the Poll-List of the Election for Representatives for the City and County of New York . . . 1761* (New York, 1880), p. 42; *A Copy of the Poll-List . . . 1769* (New York, 1880), p. 43.

<sup>110</sup> *New York Weekly Journal*, November 5, 1733; *New York Gazette and Weekly Post-Boy*, January 15, 1759.

<sup>111</sup> *New York Gazette*, October 14, 1734. James Alexander "set up illuminations" to celebrate a victory in the aldermanic elections of the City.

<sup>112</sup> *New York Mercury*, November 13, 1752. The originator of this practice was John Watts.

<sup>113</sup> *Assembly Journal*, I, 755 (April 14, 1739), 757 (August 31, 1739).

<sup>114</sup> John Ayscough to William Johnson, February 21, 1752, Clinton Letter Book, 1752-1753, pp. 22-24; George Clinton to William Johnson, February 15, 1752, *ibid.*, p. 7. In 1752, Peter Dow was supposed to have created a syndicate with his friends and relatives to buy up land next to electors who had voted against him. This contained the obvious threat of long involved lawsuits over boundaries. William Johnson to Richard Ayscough, September 16, 1752, *Papers of William Johnson*, I, 379. There is no record of whether Dow ever carried out his threat or whether he succeeded in intimidating his new neighbors.

## JOHN LOUIS O'SULLIVAN AND THE ELECTION OF 1844 IN NEW YORK

SHELDON H. HARRIS\*

**H**ISTORIANS writing about great national events of the past frequently confine their view to the principal incidents and the important participants. As a result, they sometimes neglect or overlook an obscure but key factor or personality who may have been very influential in determining the end result. Such was the case with the Polk-Clay 1844 presidential campaign in New York. Although many elements contributed to the final outcome of this state's crucial election, the strategic role played by the journalist John Louis O'Sullivan in obtaining the Democratic party's victory has not been recognized.

The radical wing of the New York Democracy was bitterly disappointed by the results of the 1844 Baltimore Democratic Convention. Their candidate for the presidential nomination, Martin Van Buren, was defeated by a dark horse, James Knox Polk, of Tennessee. Silas Wright, whom the radicals hoped to run for the Vice Presidency, declined the honor, which went instead to George M. Dallas, of Pennsylvania. The only recognition the radicals obtained was the appointment of one of their fellows, John Louis O'Sullivan, as chairman of the committee on publications. This position, however, was in most respects an empty honor.<sup>1</sup> Thus, when the convention adjourned in a "state of sublime enthusiasm," most of the radicals were "'weeping with one eye' while we smile with the other."<sup>2</sup>

Although most of these New Yorkers continued to feel disappointed at the convention's outcome, they soon were rec-

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onciled to the realities of the situation. Polk was preferable to their bitter enemy, the Whig candidate, Henry Clay. Van Buren, therefore, accepted the decision with grace. He promised to back the national candidates because Polk's success, he said, was of "vital importance to the country."<sup>3</sup> Silas Wright observed that "we must support the ticket . . . [because] it is a good ticket, and if it be possible we must give the vote of our state for it." Polk's sweep of New York "would be the greatest triumph the Democracy of the State ever had. . . . It would be a triumph of principle over injustice and treachery. . . ." <sup>4</sup> John A. Dix, a Van Buren lieutenant, noted that "if we could not have Mr. Van Buren, certainly they could not do so well as give us Col. Polk. . . ." <sup>5</sup> Others supported Polk because "all eyes are already turned to Wright as Polk's successor and if we can carry our state his nomination four years hence is as certain as he lives." <sup>6</sup>

However, the campaign of 1844 in New York, and especially in New York City, threatened to be even more difficult for the Democrats than that of 1840. Despite the healing words just noted, the wounds inflicted on the radicals at Baltimore were not completely closed. The *Evening Post*, a tower of strength in 1840, half heartedly accepted Polk's candidacy and rejected outright the party's expansionist Texas plank.<sup>7</sup> Other strong opponents of slavery extension hesitated to endorse Polk. The abolitionists were in the field with a candidate, James G. Birney, on the Liberty Party ticket. Birney's declarations on economic questions were certain to please radical Democrats far more than they would attract conservative Whigs. In addition, Polk was not so well known in the state as Henry Clay, and the derisive Whig question, "Who is Polk?" contained a kernel of truth. The Democrats were split on the state level between conservatives and radicals on economic questions. A middle-of-the-road Democrat had been elected Governor in 1842; consequently, the radicals were muttering ominous threats to prevent his renomination in the presidential election year. A powerful nativist element in the metropolis threatened to add votes to the

Whig column because of its well justified suspicion that the foreign born vote would go to the Democrats.<sup>8</sup>

The greatest need, as the campaign entered its initial stage, was for a daily newspaper that could set the tone for the campaign and refute the expected claims and accusations of the Whigs. The two Democratic newspapers in Albany, the *Argus* and the *Atlas*, were so hostile to each other that neither could be depended upon to shoulder the principal propaganda burden in the election. The *Evening Post* in the metropolis was respected by the party, but its circulation was small and its editorials were too erudite for the masses. A penny sheet, the *Plebian*, was edited by the untrustworthy Levi Slamm, of Loco Foco fame, and no confidence could be placed in it. The *New York Herald* was too erratic, and its editor, James Gordon Bennett, had made many enemies among the leaders of the Democracy. The Whigs, on the other hand, possessed two great newspapers, Thurlow Weed's *Albany Evening Journal* and Horace Greeley's *New York Tribune*, as well as many lesser ones throughout the state. Weed could be counted upon to direct the campaign upstate, and the *Tribune* could be relied upon for New York City. Silas Wright recognized this danger as early as January, 1844. In February and March, other interested individuals, principally in the Western states, clamored for the establishment of a reliable Democratic newspaper in New York.<sup>9</sup>

Wright evidently expected his young friend Samuel J. Tilden to play an important role on the newspaper should it be established. Tilden was a good choice in most respects to head the proposed party organ. Coming from a family of strong Democrats, he early had been welcomed into the bosom of Tammany Hall. There he proved himself to be intelligent, coldly efficient and an extremely loyal supporter of radical politicians and their programs. Although a lawyer by profession, Tilden had a bent for writing, and had cut his journalistic teeth scribbling articles for the *Evening Post* and for *The United States Magazine and Democratic Review*.<sup>10</sup>

In April, when all the New York leaders still hoped for

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Van Buren's nomination, Senator Wright sent Tilden to visit the former President to sound him on the idea of a new newspaper. Van Buren did not prove so enthusiastic as Wright, but he encouraged Tilden to go ahead with the scheme. Tilden, therefore, began discussions with other leaders in New York. By the end of the month, the plans had reached such an advanced stage that the Senator advised his young and not too affluent disciple to avoid involving himself "pecuniarily" in the venture. The project was temporarily dropped once the decision at Baltimore became known, but was revived when the leaders of the New York Democracy decided to support Polk and Dallas wholeheartedly.<sup>11</sup>

By the middle of June, Tilden took his good friend, John Louis O'Sullivan, into his confidence. He asked O'Sullivan to go into partnership with him to found a daily newspaper in the metropolis. O'Sullivan, with his journalistic background, could be an important asset in such a venture, although the stable Tilden evidently expected to keep a careful eye on the more exuberant editor. If O'Sullivan's past performances were to be a guide for Tilden, he, indeed, would have to keep an extremely sharp eye on his friend.

Stemming from a long line of remarkably able, but incurably romantic, ancestors, O'Sullivan inherited their talent, romanticism, and their capacity for passionately embracing lost causes. At this period of his career, he was a devoted supporter of the radical wing of the Democracy.<sup>12</sup> Along with his brother-in-law, Samuel Langtree, O'Sullivan had served a literary apprenticeship on the tri-weekly Georgetown (D. C.) *Metropolitan* in the mid-1830's. In 1837, O'Sullivan and Langtree founded in Washington the *United States Magazine and Democratic Review*, perhaps the finest periodical of its kind at the time. The *Democratic Review* combined brilliant literary talent with unswerving devotion to the cause of radicalism. Although O'Sullivan had the rare ability to produce a lively, exciting issue each month, he demonstrated an incredible lack of even elementary business

acumen; the magazine, as with so many of his subsequent ventures, showed a financial loss from its first issue.<sup>13</sup>

Discussions between Tilden and O'Sullivan were continued, but as O'Sullivan grew enthusiastic, doubt and hesitancy characterized Tilden's attitude. He was just beginning a law career in which he saw opportunity for great success. Tilden was reluctant to sacrifice this prospect, even temporarily, for an arrangement that would, at best, require hard work and lead to little personal profit, and at the worst, cause financial ruin and personal anguish. Tilden was aware of O'Sullivan's great journalistic talents, but he was equally familiar with his friend's lack of business sense. The financial history of some of O'Sullivan's previous literary enterprises must have discouraged him as he weighed the prospects of the new project. O'Sullivan, on the other hand, with characteristic optimism, was envisioning the development of a powerful newspaper that would pay handsome dividends to its proprietors. A friend of the prospective partners, the hard-headed John Bigelow,<sup>14</sup> who was informed of the negotiations noted in his diary after spending an afternoon discussing the paper with O'Sullivan, that money could be made from the venture, and that he had been "building castles ever since."<sup>15</sup>

On July 3, Tilden decided to back out, and Bigelow, greatly distressed, tried to dissuade him, saying "he [Tilden] is the only man capable of raising the funds necessary for the enterprise. O'Sullivan is not prudent enough."<sup>16</sup> Tilden visited Bigelow in his rooms two days later and discussed the proposition from early morning until evening. O'Sullivan joined the conference for a while and displayed such ignorance of the practical requirements for conducting a newspaper business that he almost convinced his friend not to join the venture. Bigelow was moved to note after the meeting ended that "the paper would be hung up in three months with O'Sullivan's management."<sup>17</sup>

Nevertheless, Bigelow or other friends must have convinced Tilden that he had to risk the project for the good of the party, if not for himself, and on July 13, O'Sullivan drew up a partnership contract. Preparations were begun in earnest

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for commencement of publication in August. O'Sullivan's *Democratic Review* publishers, the Langleys, were brought in to publish the newspaper. The staff included many of the literary Young Americans of the period such as Evert Duyckinck and William A. Jones; other contributors were Nelson Jarvis Waterbury, Clement Guion, O'Sullivan's younger brother, Herbert, and John Bigelow.<sup>18</sup> Party officials and wealthy sympathizers were solicited for the project. The largest individual contribution given was two hundred dollars,<sup>19</sup> but by the day of publication the editors had between five and seven thousand dollars in a fund<sup>20</sup> for the express purpose of starting the *New York Morning News*, as it was called, off to a prosperous life.<sup>21</sup>

The initial issue of the *Morning News* appeared on August 21, 1844. It was lively and radical from the start and gave evidence that the penny press would have a keen competitor should the editors maintain the quality of the journal. Reaction to the newspaper varied with the political viewpoint of those voicing an opinion. One Democrat declared that the *News* would "tell" in the campaign.<sup>22</sup> Another observed that the paper would be regarded "with high favor by our friends throughout the country."<sup>23</sup> Bennett's *Herald* characteristically remarked that the *Morning News* was as "dull, flat and respectable as these things usually are. . . . Mr. O'Sullivan has been working very hard for the last five or six years to get into the *Evening Post* . . . clique of this city—and alas! he has succeeded. Poor young man! He really deserved a better fate."<sup>24</sup> For the first few weeks the Whig press, with few exceptions, ignored the latest entry into the newspaper world.<sup>25</sup> But a newspaper's success is judged more by circulation figures than by the amount of friendly or hostile comment it engenders. Within a week of publication, the editors had a total of three thousand subscribers on their list, a significant number for the time. A weekly *News* was soon issued, and according to John Bigelow, achieved an impressive circulation of 25,000.<sup>26</sup>

O'Sullivan and Tilden handled the political aspects of the paper. While some of the editorials were a joint product,

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the majority were written by O'Sullivan. Tilden, however, did put in a great deal of work on the journal, and from morning to evening throughout the campaign, both men could be seen in the *News*' office conferring together and planning the next day's edition. John Bigelow was placed in charge of the literary, drama and music section, and was an assistant on political matter. Evert Duyckinck wrote book reviews and obtained many of his literary friends, as he had done for O'Sullivan's *Democratic Review*, as writers. News events coverage was not so extensive as the *Herald's*, but in all other respects the *Morning News* soon became the equal of any other paper published in New York.<sup>27</sup>

The *New York Morning News* under O'Sullivan's and Tilden's proprietorship was an invaluable aid to the Democratic campaign of 1844. Its editorials set the lead for the party press throughout the state, and its influence extended to nearby states. Editorial after editorial hammered home the Democracy's pledges and aspirations. Whig attacks were answered in kind, and few of the editor's calumniators had the better of an argument.

The journal appealed to the common man for support. Farmer and workingman were singled out for attention. Workers were urged to vote the Democratic ticket because that party had their best interests at heart. Farmers were cautioned that Whig economic policies were designed to aid the wealthy at their expense.<sup>28</sup>

The issues in the New York campaign, for those voters who were affected by issues, were somewhat different from those on the national level. Though the contention that the campaign of 1844 was the "only presidential contest in the nineteenth century that depended on an issue of foreign affairs. . . ." <sup>29</sup> may be valid for the country as a whole, it cannot be defended as true for the Empire State. The Democrats played down Texas as much as possible in the local contest. The slavery issue being inextricably entangled with that of Texas, the leaders of the Democracy tried to avoid antagonizing the large group of voters in New York who abhorred the institution. The *News* rarely mentioned the question of expan-



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sion during the campaign, despite the fact that O'Sullivan was wildly expansionistic in his personal feelings.<sup>30</sup> In addition, the editors underplayed Polk's known expansionist sentiments.<sup>31</sup> As a matter of fact, many Whigs, too, were content to ignore the Texas question. Some prayed that, as one put it, "Santa Anna [the Mexican dictator] will leave the Texans alone for the present. Mexico ought to remain in *status quo*, till our campaign is over. If they begin to shed Anglosaxon blood we may be driven to take the ground that the independence of Texas must be maintained."<sup>32</sup> Oregon did not figure as a notable issue. The territory involved was so distant from New York, and pressing United States claims to 54°40' carried with it the threat of war with England and possible invasion of northern New York from Canada.<sup>33</sup>

The old issues, those that figured prominently in the campaigns of 1836 and 1840, were of importance again. O'Sullivan repeatedly invoked the bogey of the Whig threat to erect a new national bank should Whiggery be victorious in November. The tariff was stressed time and again. The *News* frequently warned that experiments in internal improvements at the people's expense could be expected from the Whigs. These were the great and dividing questions according to the paper.<sup>34</sup>

Henry Clay's personality came in for attack by the editors. His known propensity for gambling was emphasized, and his hungering for office was decried. The Kentuckian's shiftiness, his veering with the winds of public opinion, from the anti-annexationist "Raleigh Letter" to the equivocal "Alabama Letters" on Texas, was used by O'Sullivan and Tilden to good advantage. His minor role in the tragic Cilley duel in 1838 also came in for condemnation.<sup>35</sup>

The Dorr Rebellion against undemocratic rule in Rhode Island was an important issue in this local campaign. The imprisonment of "Governor" Dorr by the Rhode Island conservatives brought forth howls of protest from the editors. The Whigs, as supporters of the conservatives, were damned for their position, and Democratic support for the Dorrites was urged.<sup>36</sup>

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The editors appealed to both the nativists and the foreign born for their votes. These groups were equally important elements in the local scene, and neither could be offended without serious consequences for the Democrats. Apprehension of a Whig-nativist coalition grew in Democratic circles as the campaign progressed. The Philadelphia election in October confirmed the Democracy's worst fears. One leader frantically informed a friend that "A similar coalition will be made between Whigs and Natives in the city that was made in Philadelphia and with equally disastrous results and I think instead of a majority for us here, we must calculate upon 2 or 3,000 against us."<sup>37</sup> O'Sullivan did his best to calm the panic before it spread too far. He appealed to nativist Democrats to remain within the party fold, and to the foreign born voters to vote for the Democratic ticket since the Democrats were their best friends.<sup>38</sup> How successful these tactics were is unknown, but it is evident from the election returns that the Whigs did not receive as much support from nativists as they expected. One important Whig later lamented: "the Native Americans gave us one vote only for two which they deprived us. . . ."<sup>39</sup>

The Democratic editors sought the support of all groups in New York City with the exception of the abolitionists. They excoriated the latter in editorials, and told them frankly that "for ourselves we care little for the abolitionist vote." Since there was little abolitionist strength in the metropolis, the editors could afford their candor.<sup>40</sup>

But their assignment was not only to attack Democracy's enemies and to interpret the Democratic program; O'Sullivan and Tilden had also to defend themselves and their candidate from vicious attacks in the Whig press. One of the favorite opposition charges was that the money for the establishment of the *News* had been obtained from "British gold," because this charge appealed equally to the ever-present American Anglophobia and to the Irish. Thurlow Weed's *Albany Evening Journal* apparently started the story that British industrial interests established a "Free Trade paper with a purse of \$20,000, it is said, for its support, in the city

of New York." The Rochester *Democrat* then noted that the *News* was "the Free Trade paper that has started up so wonderously since the introduction of British gold."<sup>41</sup> Horace Greeley's *Tribune* was guilty of the following weird reasoning:

We are morally certain that money has been disbursed here by *foreign* merchants to circulate documents intended to break down our Protective policy. We have good reason for believing that a large sum of money was raised by contributions here to start that very *Morning News*; and this is not the first time that money has been subscribed to establish such a paper. We know, and the *Morning News* must know, that the British manufacturers and merchants have a strong interest in breaking down our Protective policy, which is shutting their products out of our market and raising up formidable rivals for them in other markets. Putting all the facts within our knowledge together, we believe the *News* is sustained in part by British money, as we are sure it is laboring to promote British at the expense of American interests. We do not say that the *News* is aware that part of its sustenance is derived from Europe, but we believe such is the fact.<sup>42</sup>

All the editors could do was to deny the charge vigorously and to brand it for what it was—a campaign slander.

Thurlow Weed's fertile imagination also apparently invented the notorious Roorback forgery story, which might have affected the intentions of a number of voters. The *Albany Evening Journal* printed during the campaign a paragraph from a non-existent book by a traveller named Roorback in the South and West in 1836. The imaginary Roorback was quoted as having seen the initials "J.K.P." burned into the flesh of slaves belonging to James K. Polk. Other Whig papers soon reprinted the forged paragraph and the Democrats were hard pressed to answer it. The *Albany Argus* in September finally scotched the story by proving the Roorback tale was a garbled version of a book of travels by a writer who did not even mention the Democratic nominee's name in his work. O'Sullivan and Tilden again could only

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report the facts and condemn the smears and slanders emanating from the opposition.<sup>43</sup>

O'Sullivan's contribution to the campaign was not limited to his conduct of the *Morning News*. *The United States Magazine and Democratic Review* came out strongly for Polk in its August number, and each succeeding issue up to election day presented cogent arguments for the Democratic cause.<sup>44</sup> In late August, final arrangements were completed for the publication of a Democratic weekly campaign sheet to be issued by the proprietors of the *Morning News*. Cheaply printed, *The Campaign* was to be distributed over the middle states and New England. The price of the entire series of sheets was only 12½¢. Thousands of Democrats were expected to subscribe since it was "designed to place every Democrat in possession of all the material arguments and evidence in support of his noble cause, in a condensed form, and to enable them to lay before his neighbors of opposite or unsettled politics." *The Campaign* consisted of four pages of political matter and contained no advertisements. Most of its material came from the files of the *News*, the *Democratic Review*, and other Democratic journals. Little original matter appeared on its pages, but its reprints were the best that could be culled from the other periodicals. It was extremely lively reading, and presented the Democracy's case effectively and clearly. It had an important effect in the final outcome of the canvass.<sup>45</sup>

As the campaign rolled into its final few months, O'Sullivan threw himself with increased fervor into the task of electing the Democratic ticket. He was not content merely to scribble propaganda but desired to play an active, personal role in the struggle. In early September, as a member of a committee of radical Democrats, he led a boat excursion of seven hundred New Yorkers to a great Democratic rally in Providence, Rhode Island. They were to electioneer for the ticket in that state and to press for the "constitutional liberation of Mr. Thomas W. Dorr." Thousands of Democrats gathered at this rally, and impassioned speeches for the release of Dorr and the election of Polk and Dallas were made.

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O'Sullivan and the others gave "cheers innumerable . . . for Polk and Dallas. Three tremendous groans for the Algerines of Rhode Island and the jury who convicted Governor Dorr." From Democratic accounts, the rally was a huge success, and O'Sullivan played a large part in engineering the heavy turnout of New Yorkers.

He was also in constant attendance at the major rallies in New York City. Night after night, Democratic clubs in the various wards conducted torchlight parades through the streets. Fiery oratory flamed through the night, and O'Sullivan's heart warmed with every speech, every condemnation of the Whig party, and every mention of the noble Democratic cause. The editor would often be the first on his feet to offer the resolution nominating the chairman and other officers of the rally. As the wealthy Mr. Effingham in Cooper's *Home As Found* noted, "The Americans are a set of resolution-passing people. Three cannot get together without naming a chairman and secretary . . .," and no political meeting could be held without popular election of a chairman, numerous vice-chairmen and dozens of secretaries. O'Sullivan most probably wore at these rallies a Polk breastpin—to "carry the proof and avowal of his principles thus openly on his breast," and he unquestionably joined in the singing of such imperishable choruses as:

In the South he drew both pen and sword,  
And freedom marked both deed and word,  
The red coats and red skins did flee,  
From handy Jim of Tennessee!

When red men ravaged through the South,  
His voice was in the rifle's mouth,  
The friend of Brave Old Hick-o-ry  
Stood handy Jim of Tennessee!

He certainly must have helped to raise a hickory tree, "with all due ceremony," at one of the innumerable political gatherings, for an open air meeting could not begin without the symbolic planting of a young hickory in honor of the "Young Hickory of Tennessee," James K. Polk.<sup>47</sup>

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O'Sullivan's hatred of the opposition party became an emotional disease with him, and he openly displayed his contempt for Whiggery. The Whig parades of late October were some of the greatest processions in the history of the metropolis. Thousands of Whigs marched over the five mile route of the cavalcade. At the end of October, a gigantic parade had been marred by a number of incidents, including a ludicrous one that involved O'Sullivan. As the parade wended its way through the lower part of town, "the only house in the whole city," according to an opposition journal, "whose tenant so far demeaned himself as to *hang out a black flag* while the procession was passing . . . was that one in Washington Place, upon which is inscribed the name of John L. O'Sullivan." "That gentleman," the furious Whig writer declared, "is welcome to the laurels he won. . . . There is not a *respectable* man, of any party in any corner of the Union will pronounce it an act of the most shameless baseness—one to which no respectable man would stoop. . . ." The "gentleman" in question could hardly suppress his laughter as he dishonestly penned a denial of complicity, and asserted that the black flag was hung by a "female in a state of delirium from nervous fever, excited to rise from a bed of extreme illness, by the music and tumult of the passing crowd." This cavalier answer satisfied his Democratic friends, but the Whigs continued to refer to O'Sullivan's "base" gesture until the end of the contest.<sup>48</sup>

In truth, there were many unpleasant aspects to the Democratic campaign in the city. Whig parades were disrupted by rowdies and street fights were an everyday occurrence. The Democratic Empire Club enrolled many hoodlums in its ranks, and they delighted in attacking Whig meetings. A newspaper reported that "they paraded [on one of many occasions] in great numbers and marched upon the sidewalk past Masonic Hall. Their object . . . [was] to destroy the beautiful [Whig] arch. . . . Finding that too well guarded, however, some of their number made an attack upon those who were standing near the door of the hall, in the course

of which Mr. John C. Hamilton was considerably though not seriously hurt." 49

Nativist charges of corrupt naturalization practices by the Democrats were, to a large extent, true. The great nativist paper, the *Express*, ran a series of articles during the campaign which documented the charge. Many foreign born, who had not been in the country a sufficient length of time, were given citizenship by dishonest officials in return for a promise to vote the "right" ticket. One politician boasted to a confidant that naturalization was "going on among our friends to an immense extent. On Saturday 200—all Democrats—received their papers." 50 Countless unknowns were added to the Democrat's ranks prior to the election, and this number undoubtedly played an important part in the final slim margin of victory.

The Whigs engaged in equally base tactics. Money flowed copiously from their coffers. Newspapers and politicians were bought with ease. False accusations, as we have seen, were printed in their newspapers. Voters were purchased at so much per vote. Whig manufacturers ordered their employees, on pain of dismissal, to cast their ballot for the "proper" candidates. Which side was the more corrupt is difficult to judge. Both parties were guilty of reprehensible practices.<sup>51</sup>

As the campaign developed, it became increasingly evident that the two parties were so evenly matched in New York that the outcome would be in doubt until the last ballot was counted. The Democrats were favored by fortune when, in September, Silas Wright consented to run for Governor. Wright was hesitant to seek the office. However, his friends persuaded him that only with his nomination for Governor could the party hope to triumph in the state and in the nation. The party had become so factionalized that many believed no other candidate could unite the warring factions. The Senator still maintained his radical philosophy, but in his absence in Washington for the past six years, he had avoided directly antagonizing the conservatives at home. He was about the only prominent state figure who was satisfactory to both groups, and his nomination helped the Demo-

crats to close ranks. O'Sullivan and Tilden had been in favor of Wright's nomination, but they kept a surface neutrality in the *News* prior to the decision of the Democratic state convention. At that time, they expressed their enthusiasm completely.<sup>52</sup>

O'Sullivan helped the Democrats to unite further and contributed one of the master strokes of the campaign as the contest neared its climax. Aware that a number of ardent Van Buren supporters still threatened to bolt the ticket, he wrote asking the Little Magician for a private letter containing a strong endorsement of the Polk-Dallas ticket. Extracts, he argued, could be published in the party press just before the election, and would "influence this class of voters."<sup>53</sup> Van Buren charitably replied with a rousing endorsement of all the Democratic candidates. He noted that he could "see no possible ground on which . . . support can be withheld, by any Democrat who approves of their [the Democratic party's] principles." Pleading with "such friends [of his] to consider, that unless the Democratic creed is a sheer delusion, there are besides involved in the contest . . . public considerations before the contemplation of which all personal feelings and individual interests are turned to nothing." "I know well," the former President continued, "they are . . . moved by higher motives, but if my personal wishes in the matter can have the slightest influence in deciding upon their course . . . [then I urge them to give] the same zealous and untiring support to the Democratic nominees for President and Vice-President, which they mean to give to the rest of the ticket." O'Sullivan published this letter in the *News* a few days before the election, and it created a profound stir; unquestionably it added votes to the Polk ticket.<sup>54</sup>

The killing pace O'Sullivan maintained during the campaign soon began to tell on him. His younger brother, Herbert, remarked to a friend at the beginning of September: "John I am beginning to feel anxious about. He will be so irregular in his habits that it is out of the question to remonstrate with him. Night after night he deprives himself of his required rest, and the effect upon his appearance and health



you may suppose." By the end of September, his friends noted how hard he was working and how peaked he had become. O'Sullivan's mother worriedly informed a dear friend in mid-October: "my John looks worn & fatigued—he can find no rest until after this Presidential contest."<sup>55</sup>

But the efforts of O'Sullivan, Tilden and other party workers were soon to bring their reward. Everyone admitted that the election was certain to be close. The hard work, the closing of Democratic ranks, the stressing of economic issues which the common man understood, the fortunate refusal to go all out for expansion, the Whig failure to garner as much nativist support as expected, the siphoning of Whig votes into the abolitionist Liberty Party—though this was not as important a factor in the contest as most historians have claimed—all these were equally admitted by careful observers to have aided the Democracy in its probable success in November. Rumors of impending defeat in New York invaded Whig circles in Boston by the end of September.<sup>56</sup> Ex-Governor Seward, one of the shrewdest politicians the Empire State ever produced, lost hope by the end of October and informed his most intimate political friend, Thurlow Weed, that "our friends . . . [say] that they are confident and mean to be so until the end. But I think they are not sanguine now and will lose confidence as the election approaches. They all say that New York City gives us 5000 majority [and] will save the state for Clay. But their conversation shows distrust even of this. . . . On the whole I believe our friends look for salvation through a *miracle*, to be worked by the Native Americans in New York."<sup>57</sup> Weed himself gave up on election day and remarked: "our friends have fought gallantly and generously, but are doomed, I fear, to a cruel defeat. The country, just as it is emerging from darkness, is going behind another cloud. Would to God that those who love darkness, and bring it upon us, might suffer alone."<sup>58</sup>

Election day in New York City proved to be gloomy, damp, and cold. A grey mist surrounded the city and people hurried to the ballot boxes, anxious to cast their votes, and to

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return to the warmth of their homes. O'Sullivan and Tilden voted early and then went to Tammany Hall to begin the long wait for returns. Communication with other areas of the state was by comparatively primitive means. They knew it would be days before the results in New York would be known, let alone the outcome throughout the Union. They were aware that New York was the key to the election and that Clay and Polk needed her thirty-six electoral votes to win. Supreme confidence marked their every step as they strolled to party headquarters. Most of the Democratic political leaders there shared their confidence. One grasping politico had already addressed to the presumed President-elect a letter informing him of his impending triumphant election, for "as certain as the sun rises upon the Empire State tomorrow so certain will she give you her vote and consequently the election—my heart is too full to add more—the Almighty has not deserted this fair country. He will not afflict us with a Whig administration." 59

The political pundits were proven correct as the returns trickled into the metropolis. Polk narrowly carried the city by two thousand votes and the state by five thousand, and was elected the eleventh President of the United States. Wright was chosen Governor by a wide margin. Arguments have raged ever since as to the reason for the Whig defeat in New York. Some attributed it to the third party candidacy of the abolitionist James G. Birney on the Liberty ticket; others, like ex-Governor Seward placed the blame on the courting of the nativist vote by some Whig politicians, thus losing the entire foreign-born vote. Still others have attributed the Democratic triumph to a combination of factors: Whig abolitionist defection, lack of nativist support, Wright's campaign for Governor which healed the Democratic split, the Democrats' stress of sure-fire economic issues and the strategy of playing down the expansionist question, corrupt naturalization of hundreds of unqualified individuals, and flagrant stuffing of the ballot boxes in a number of New York City wards where Tammany worthies could get away with the deed. Regardless of the causes one chooses to accept

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for the Democratic triumph, it is difficult to disagree with the judgment of the *Richmond Enquirer* that "there was no single individual to whom the Union was more indebted" than John Louis O'Sullivan for the vote of New York.<sup>60</sup>

<sup>1</sup> New York *Plebian*, June 1, 1844.

<sup>2</sup> John Louis O'Sullivan to Martin Van Buren, Baltimore, May 29, 1844, Van Buren Papers, Library of Congress.

<sup>3</sup> Van Buren to George Bancroft, Lindenwald, July 3, 1844, Bancroft Papers, Massachusetts Historical Society Library.

<sup>4</sup> Wright to B. F. Butler, Washington, June 3, 1844, Butler Papers, Personal and Miscellany, New York Public Library.

<sup>5</sup> John A. Dix to A. C. Flagg, New York, June 14, 1844, Flagg Papers, New York Public Library.

<sup>6</sup> J. D. Stevenson to W. L. Marcy, Washington, June 3, 1844, Marcy Papers, Library of Congress.

<sup>7</sup> May 31, and the month of June, especially June 8, 1844.

<sup>8</sup> George W. Roach, "New York State In The Presidential Campaign of 1844: A Study in Partisan Politics" (unpublished M. A. thesis, Columbia University, 1937), *passim*.

<sup>9</sup> Wright to A. C. Flagg, Washington, January 23, 1844, Wright Portfolio, New York Public Library; Wright to Martin Van Buren, Washington, April 11, 1844, Van Buren Papers, Library of Congress; John A. Garraty, *Silas Wright* (New York, 1949), 312.

<sup>10</sup> Alexander C. Flick, *Samuel Jones Tilden: A Study in Political Sagacity* (New York, 1939), 1-12, 16-19, 52, 53, 104; Sheldon H. Harris, "The Public Career of John Louis O'Sullivan" (ms. doctoral dissertation, Columbia University, 1958), 79.

<sup>11</sup> Wright to Van Buren, Washington, April 11, 1844, Van Buren Papers, Library of Congress; Tilden to . . . . . [Wright?] New York, April 25, 1844, and Wright to Tilden, Washington, April 30, 1844, in John Bigelow, ed., *Letters and Literary Memorials of Samuel Jones Tilden* (New York, 1908), I, 19-20. See also Wright to Tilden, Washington, April 11, 1844, Tilden Papers, New York Public Library.

<sup>12</sup> O'Sullivan demonstrated his extreme radicalism during a two year tenure in the New York Assembly (1841, 1842) where he introduced reformist measures dealing with labor, education and the abolition of capital punishment. Harris, *op. cit.*, 92-125.

<sup>13</sup> *Ibid.*, 58-91, 126-153.

<sup>14</sup> O'Sullivan had been introduced to Bigelow in the summer of 1841. Bigelow was, at that time, a young lawyer with few clients. He had a disposition to dabble in literary matters and was already familiar with the Democratic literati of New York, such as William Cullen Bryant, Robert and Theodore Sedgwick, and Tilden, when he ran into O'Sullivan. Although he caused O'Sullivan great personal grief with his first few contributions to the *Democratic Review*—stinging attacks on Professor Charles Anthon, Columbia University's classics scholar—Bigelow became a steady contributor to the magazine and O'Sullivan's close friend. *Ibid.*, 131-152; Margaret A. Clapp, *Forgotten First Citizen: John Bigelow* (Boston, 1947), 7-24.

<sup>15</sup> John Bigelow ms. Diary, June 20, 30, 1844, I, 54, 62, New York Public Library.

<sup>16</sup> *Ibid.*, July 3, 1844, I, 64.

<sup>17</sup> *Ibid.*, July 4, 5, 1844, I, 66.

<sup>18</sup> Bigelow, *Letters And Memorials of Tilden, op. cit.*, I, 17-19; Flick, *op. cit.*

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63; Evert Duyckinck to William A. Jones, New York, August 2, 1844, Duyckinck Papers, New York Public Library.

<sup>19</sup> Nelson J. Waterbury to Tilden, New York, April 3, 1846, Tilden Papers, New York Public Library; Alexander Vanderpool to James K. Polk, New York, August 27, 1844, Polk Papers, first series, Library of Congress.

<sup>20</sup> It is doubtful whether O'Sullivan or Tilden contributed any money to the project. Neither man was in a position at this time to invest heavily in a venture with such a questionable future. Estimates of the fund vary. See Waterbury to Silas Wright, Stamford, Connecticut, August 30, 1846, Tilden Papers, New York Public Library and Flick, *op. cit.*, 63. Polk was informed as early as the latter part of June that party men were subscribing to a new newspaper to be published in the metropolis. William Tyack to Polk, New York, June 28, 1844, Polk Papers, first series, Library of Congress.

<sup>21</sup> It is possible in this paper to deal only with the history of the *New York Morning News* during the campaign of 1844. Robert Gumerove's "The *New York Morning News*: Organ Of The Radical 'Barnburning' Democracy 1844-1846" (unpublished M. A. thesis, Columbia University, 1953), is a detailed and fairly accurate account of the paper's history during its short lifetime. Gumerove, however, confined his investigations to material located in and about New York City; many of his conclusions suffer because of his failure to explore pertinent material in distant research centers.

<sup>22</sup> Alexander Vanderpool to James K. Polk, New York, August 27, 1844, Polk Papers, first series, Library of Congress.

<sup>23</sup> E. C. Pitts to Tilden, Newburgh, New York, August 22, 1844, Tilden Papers, New York Public Library.

<sup>24</sup> *New York Herald*, August 22, 1844.

<sup>25</sup> The *Tribune* and the *Morning Courier* did not inform their readers of the *News'* existence until they commenced attacking the Democratic journal later on. See also the *New York Express*, August 22, 1844, and the *New York Journal of Commerce*, August 22, 1844.

<sup>26</sup> John Bigelow ms. Diary, August 31, 1844, I, 87, New York Public Library. As late as 1850, when New York had a population of half a million, the *Journal of Commerce's* circulation was only forty-five hundred. Charles H. Levermore, "The Rise of Metropolitan Journalism, 1800-1840," *American Historical Review*, VI (April, 1901), 446-465.

<sup>27</sup> Clapp, *op. cit.*, 34; D. C. Langley to Evert Duyckinck, New York, September 5, 1844, Duyckinck Papers, New York Public Library.

<sup>28</sup> See typical editorials in the *News* of August 26 and September 21, 1844.

<sup>29</sup> Samuel F. Bemis, *A Diplomatic History of The United States* (New York, 1955, 4th ed.), 229.

<sup>30</sup> It was O'Sullivan who coined the phrase, "Manifest Destiny," in 1846. Harris, *op. cit.*, 242-253; Julius W. Pratt, "John Louis O'Sullivan And Manifest Destiny," *New York History*, XIV (July, 1933), 213-234; Pratt, "Origin of Manifest Destiny," *The American Historical Review*, XXXII (July, 1927), 795-798.

<sup>31</sup> *New York Morning News*, September 21, 1844.

<sup>32</sup> Washington Hunt to Thurlow Weed, Lockport, New York, August 17, 1844, Weed Papers, Rochester University Library.

<sup>33</sup> Garraty, *op. cit.*, 309-310.

<sup>34</sup> See typical editorials in the *News*, September 21, November 4, 1844.

<sup>35</sup> *Ibid.*, September 13, October 26, 1844.

<sup>36</sup> *Ibid.*, August 31, September 6, 1844.

<sup>37</sup> Louis D. Scisco, *Political Nativism in New York State* (New York, 1901), 40-50; J. W. Edmonds to William L. Marcy, New York, October 12, 1844, Marcy Papers, Library of Congress.

<sup>38</sup> E. C. Litchfield to Tilden, Albany, October 21, 1844, Tilden Papers, New York Public Library; A. Jones to James K. Polk, New York, November

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4. 1844, Polk Papers, first series, Library of Congress; *New York Morning News*, October 11, 14, 16, 1844.

<sup>39</sup> William H. Seward to Henry Clay, Auburn, New York, November 7, 1844, Seward Papers, Rochester University Library.

<sup>40</sup> *New York Morning News*, August 22, 1844; Roach, "Election of 1844," *op. cit.*, 163.

<sup>41</sup> *New York Morning News*, September 22, 23, 24, 26, 1844. The Albany *Evening Journal* and Rochester *Democrat* quotations are to be found in the *News* of September 23 and 26 respectively.

<sup>42</sup> *New York Tribune*, September 24, 1844.

<sup>43</sup> See the *Morning News*, September 23 to September 30, 1844.

<sup>44</sup> "First and Second-Rate Men," *United States Magazine and Democratic Review*, XV (August, 1844), 115-121.

<sup>45</sup> *The Campaign* was originally intended to be issued beginning on August 24, 1844, but for unknown reasons, it did not make an appearance until September 7. Publication ceased with the November 2, 1844 number.

<sup>46</sup> See the *Morning News* from August 31 to September 6, for an account of the entire affair, and the preparations leading up to the rally.

<sup>47</sup> James F. Cooper, *Home As Found* (New York, n.d., Mohawk edition), 218; advertisement in the *Morning News*, October 22, 1844. A typical outdoor Democratic rally is reported in *ibid.*, September 10, 1844.

<sup>48</sup> *Courier and New York Enquirer*, October 25, 1844; *Morning News*, October 26, 1844.

<sup>49</sup> Roach, "Election of 1844," *op. cit.*, 92; *New York Evening Commercial*, October 24, quoted in the *New York Express*, October 25, 1844.

<sup>50</sup> See *ibid.*, for the month of October, 1844; G. Melville to Samuel Medary, New York, November 4, 1844, Polk Papers, first series, Library of Congress.

<sup>51</sup> See, for example, some of the charges published in the *Morning News*, October 17, 1844.

<sup>52</sup> Garraty, *op. cit.*, 290-91; *Morning News*, September 6, 1844; A. Harris to Polk, Buffalo, July 18, 1844, Polk Papers, first series, Library of Congress. Though the Whigs might fulminate that Wright "is out against the present tariff & he cannot deny it. He is for the sub-treasury and he cannot deny it. He drinks like a fish and can't deny it. All this is true but don't print it." the rank and file of the Democracy had a genuine admiration for the man. Amos Granger to Thurlow Weed, Syracuse, September 5, 1844, Weed Papers, Rochester University Library.

<sup>53</sup> O'Sullivan to Van Buren, New York, October 28, 1844, Van Buren Papers, Library of Congress.

<sup>54</sup> *Morning News*, November 2, 1844. The assertion that "Van Buren, [Thomas Hart] Benton and [Frank P.] Blair . . . gave Polk little support in his campaign" would appear to be unfair to at least Van Buren. Avery O. Craven, *The Growth of Southern Nationalism 1848-1861* (Baton Rouge, La., 1953), 28.

<sup>55</sup> Herbert O'Sullivan to Jane Sedgwick, New York, September 6, 1844, Sedgwick Family Papers, Massachusetts Historical Society Library; H. D. S. to Mrs. H. D. Sedgwick, New York, September 18, 1844, *ibid.*; Mary R. O'Sullivan to Mrs. Jane Sedgwick, New York, October 18, 1844, *ibid.*

<sup>56</sup> Philo Shelton to Thurlow Weed, Boston, September 23, 1844, Weed Papers, Rochester University Library.

<sup>57</sup> William H. Seward to Weed, Auburn, N. Y., October 22, 1844, "Weed Bound Letters Collection," IV, in *ibid.*

<sup>58</sup> Weed to George Patterson, Albany, November 4, 1844 (photostatic copy), *ibid.*

<sup>59</sup> Fernando Wood to Polk, New York, November 4, 1844, Polk Papers, first series, Library of Congress.

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<sup>60</sup> Edward Channing, *A History of the United States* (New York, 1949 ed.), V, 545-46; Seward to Henry Clay, Auburn, New York, November 7, 1844. Seward Papers, Rochester University Library; Roach, "Election of 1844," *op. cit.*, 163; Richmond *Enquirer*, n. d., quoted in the *Morning News*, December 18, 1844.

DAVID B. HILL  
AND THE "STEAL OF THE SENATE," 1891

HERBERT J. BASS

WHEN Franklin Delano Roosevelt launched his political career with his surprising election to the New York Senate in 1910, he accomplished a feat rarely achieved in New York politics: Roosevelt, a Democratic candidate, had won election from the notoriously Republican, silk-stocking district of Dutchess County. Only once before since the Civil War had that feat been accomplished, and on that occasion the circumstances surrounding the victory of the Democratic candidate were so questionable and controversial, and the effect upon state and national politics so far reaching, that the election has become one of the most celebrated local contests in the history of the Empire State. The incident, occurring in 1891, soon became stigmatized as the "Steal of the Senate." Its central character was David Bennett Hill, Governor of New York, United States Senator-elect, presidential aspirant, and master of the New York State Democratic party.

Hill, a shrewd, calculating opportunist from Elmira, had through perseverance and a mastery of political skills worked his way toward the head of the state party. In 1882, with Grover Cleveland at the head of the ticket, Hill had won election as lieutenant-governor, and when Cleveland was elevated to the presidency, Hill succeeded to the governorship for the remainder of Cleveland's three-year term. Throughout 1885, Hill had molded a strong personal organization, and had displayed a remarkable astuteness in turning political issues to personal and party advantage. In the fall of that year, despite the opposition of many Cleveland men,

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Hill had won both nomination and election to a full term as governor.

Hill was an able and effective chief executive, but was more widely regarded as a master of the political maneuver than as a statesman. Even during Cleveland's first presidential term, the Democratic party in the state had begun to polarize around these two men. Of their many differences, their respective views regarding the role of partisanship offered the most obvious contrast. Although Cleveland believed in the efficacy of the party system and was himself a good party man, there was for him little room for partisanship. To Hill, however, there was little room for anything else. Cleveland's irritating sermons on the principle of civil service reform, even when the principle was being widely violated in his own administration, alienated many Democratic politicians, state and national. Hill, while not the direct antithesis of Cleveland, was more orthodox on matters of patronage, and thus attracted to his camp many of the Cleveland "kickers."

Hill's presidential ambitions were evident during his first term as governor, but they were temporarily side-tracked by the political necessity of supporting a renomination of Cleveland. In the election of 1888, however, Cleveland lost New York State, and thereby lost the presidency; at the same time Hill won reelection to the governorship. The contrast between the President's failure to carry this key state and Hill's own smashing victory gave obvious substance to Hill's presidential aspirations.

During his second full term in office, Hill consolidated his control of the state Democratic party. By 1890, he was its undisputed suzerain, and even haughty Tammany acknowledged its fealty. In that year, the Democrats, under Hill's leadership, captured a large enough number of assembly seats to give them a majority on a joint ballot in the legislature, enabling the election of a Democrat to the United States Senate for the first time since before the Civil War. Hill decided to take the position for himself, and dictated his own election.

Although officially elected to the United States Senate,



### THE "STEAL OF THE SENATE"

Hill decided to complete his term as governor before taking up his new duties, in order both to keep control of the state machinery, and to direct the party's efforts in the 1891 campaign. This he did successfully, as Democrats won the major offices by margins ranging as high as 50,000 votes. The state Assembly was once again Democratic, and only in the Senate did it appear that the Republicans had staved off defeat. There, early returns indicated an alignment of seventeen Republicans, fourteen Democrats, and one Independent. However, there was some doubt as to the final composition of this body, because in three of the seventeen Republican districts, Democrats reported irregularities. If these claims were upheld, the Democrats would seat a majority in the Senate, sweeping the state.

Hill, of course, was anxious for a sweep. For seven years he had been plagued by a hostile Senate, blocking nominations and initiating embarrassing investigations. Democratic control would free Governor-elect Flower from this millstone and make party sway complete. Moreover, Hill well knew that Democrats around the country were watching the results in New York closely, for he was already widely regarded as a strong candidate for the party's presidential nomination in 1892. Not since Cleveland's electoral sweep in 1882 had the Democrats won control of both houses of the legislature, and such a triumph would add prestige to Hill as he assumed his new Senatorial duties. His arrival in the national capital would be that of a conquering St. George, fresh from slaying the Republican dragon in New York and saving that fair state for the Democracy.

It was these considerations that apparently led Hill to make his fateful decision: a vigorous fight would be waged for all three seats, and at all costs the Democrats must win. The decision made, Hill swung into action. All of the contests were managed from the executive chamber in Albany as Hill, drawing upon all his legal resources, mapped the strategy and issued his instructions. The ensuing struggle to wrest the three seats from Republican hands was marked by back-stage maneuvering, legal technicalities, charges and

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denials, court orders and counter-orders. For two full months, the action filled the political stage in New York.

Hill's strategy in each of the three contests was based upon Democratic control of the several canvassing boards. According to prescribed procedure, the local officials in each voting district sent the returns from their polling places to the county board of canvassers. This board was simply the county board of supervisors, sitting in another capacity. Thus the canvassing board was not non-partisan, for the supervisors had themselves been elected as political candidates. The duties of the county board of canvassers was purely ministerial. It totalled the returns and certified to their accuracy, but it had no authority to go behind the returns or to make corrections, other than to send returns with clerical mistakes back to the district officials for correction. The certified returns were then sent from the county to the state board of canvassers. This board, too, was composed of elected officials—the secretary of state, state treasurer, comptroller, attorney-general, and state engineer. Again, the duties of the board were simply ministerial, issuing certificates of election to the candidates with the highest total of votes. This board also had no power to go behind the returns, but merely awarded the certificate on the basis of the returns presented to it. Any contest over the validity of the returns or the eligibility of an elected member to take his seat was decided upon by the legislative chamber.

The three Senate seats claimed by the Democrats were in the twenty-seventh, twenty-fifth, and fifteenth Senate districts.<sup>1</sup> In all three districts, Democrats were in a majority on the county boards of canvassers. The contest in the twenty-seventh district, comprising Steuben, Chemung and Allegany Counties, was based on the ineligibility of the Republican victor, Franklin D. Sherwood, to hold a Senate seat. The Republicans had been aware of this fact when they nominated Sherwood, but they disregarded it, confident that an expected Republican majority in the Senate would overrule any protest and seat him.<sup>2</sup> The Democrats had widely advertised Sherwood's ineligibility during the campaign, so

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that in the event of his victory, their challenge would be on firm ground.

Immediately after the election, Hill outlined the strategy to be followed by the Democratic canvassing board that was to deal with the Sherwood case.<sup>3</sup> The board was to canvass the vote as returned, instructed the Governor, but was also to pass a set of resolutions pointing out Sherwood's ineligibility and holding that his votes should be voided. The returns, along with these resolutions and necessary affidavits were then to be forwarded to the state board of canvassers. That board would do the rest by withholding a certificate of election from Sherwood. Should there be a Republican protest over the state board's action, it would come before the Court of Appeals, where Hill was confident that the Democratic majority would uphold the action. If the Democrats succeeded in their other contests, they would have a sixteen-to-fourteen margin, and would then vote to seat Charles E. Walker, the Democrat whom Sherwood had defeated. Under no circumstances, Hill ordered, should the question of Sherwood's eligibility be argued before the county canvassing board, nor should his vote be thrown out, for "... then they would mandamus the Board in that district before the Republican judges and would lose. . . . We don't want any decisions from Republican judges in that district. See that our programme is not changed."<sup>4</sup>

The "programme" was carried out. Sherwood took court action to prevent the resolutions from being sent to the state board, but without success. The chief headache to Hill came, not from Republican attempts to thwart his plans, but from Walker's loss of stomach for the contest, and his desire to drop it. If Walker balked, the chance for a Democratic Senate would be gravely weakened.

Hill immediately wrote to a friend of Walker's asking him to bolster Walker's resolution:

I received, to-day, a rather queer letter from Charley Walker, expressing a disinclination to further contest the Sherwood matter. Has Charley been drinking some since the election? I judged as much from his letter or

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else he is weakening. I wish you would see him at once, and, without letting him know that you have heard from me, tell him to say nothing and take no action, but leave his case in the hands of his friends and the party leaders at Albany. He must abide by whatever is regarded as best by us here. We will not get him in any scrape, but will act for the best interest all around. . . . Get him to say nothing and do nothing; but simply abide events, and let us manage the affair further in our own way. This is very important as you can see! He ought to keep absolutely quiet! . . .<sup>5</sup>

Meanwhile, Hill pursued his plans in the other two contests. In the twenty-fifth senate district, comprised of Cortland and Onondaga Counties, the Republican Rufus T. Peck had apparently defeated his Democratic opponent, John A. Nichols, by 358 votes. The Democratic case for contesting Peck's election rested on a provision of the recent ballot act. Each election district had been provided with a quantity of official ballots and, as required by law, the designation of each district was marked on the ballots. Through some inexplicable error, the ballot strips containing the names of Republican candidates and marked for use in two heavily Republican districts had been mixed up, those marked for use in the first district being used in the second, and vice versa. The Democratic majority on the county board of canvassers contended that ballots bearing the wrong endorsement were invalid under the Ballot Act of 1890, as amended in 1891. If these ballots were not counted, Nicholas would be the winner. The board therefore refused to certify Peck's election.<sup>6</sup>

The Republicans immediately went to court, insisting that the board had no right to go behind the returns. They asserted that the intent of the voters had been clear, and hinted darkly that the mix-up of the ballots had not been an accident. Judge George N. Kennedy, the Republican judge who heard the complaint, issued a *mandamus* ordering the canvassers to certify Peck's election.<sup>7</sup>

While the board stalled, Hill sent Judge Morgan J.

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O'Brien of the New York State Supreme Court to hold an extraordinary term in Syracuse, where the case was being heard. A series of legal maneuvers ensued, designed to get the case before the Court of Appeals, which Hill felt sure would rule the disputed ballots as invalid. Meanwhile, the Governor warned Democratic lawyers to avoid presenting their motions before Judge Kennedy, who would not only deny them, but would probably sit on his decision until the legislature met, when it would be too late to appeal the decision. The maneuvering proved successful, and the case was assured of a hearing before the Court of Appeals in December.<sup>8</sup>

The most controversial and bitter of the three contests was that in the fifteenth senate district, comprising Dutchess, Columbia, and Putnam Counties. Here, too, the struggle followed the familiar trail through the canvassing boards and courts. The outcome of this contest, however, was also affected by an act of questionable legality committed by a high state official, and was climaxed by a final award made in flagrant disregard of a court decision. It was these actions which stigmatized the entire episode as the "Steal of the Senate."<sup>9</sup>

The apparent victor in this fifteenth district was the Republican Gilbert A. Deane, with a plurality of 137 over the Democratic candidate Edward B. Osborne. These returns were challenged by the Democrats, who claimed victory for Osborne. There was no real disagreement in two of the three counties in the district. Both parties gave Deane a plurality of thirty-eight in Putnam, and the Democrats disputed only two of his 136 votes plurality in Columbia. It was over the returns in Dutchess County that the battle was waged. There the Democratic majority of the canvassing board disallowed a large number of Republican ballots which they contended were illegally marked, and increased Osborne's plurality in Dutchess from 37 to 186. This made Osborne the Senator-elect of the three counties by an overall margin of 14 votes. When the Republican county clerk refused to certify to the accuracy of these revised returns as required by law, the Democratic majority ousted him forthwith, temporarily re-

placing him with one of their number, John J. Mylod. The returns, later called the Mylod returns, were then signed and forwarded to the state board of canvassers in Albany.<sup>10</sup>

Thereupon, Governor Hill ordered the state board to convene in the first week in December, two weeks earlier than they usually met. His intention was obvious. It was planned that the state board of canvassers, on the basis of the returns before it, would issue a certificate of election to Edward B. Osborne, before the Republicans could get a court order restraining such action.<sup>11</sup>

Before the state board could carry out its part, however, they were checkmated. Employing a battery of able attorneys headed by the brilliant Joseph Choate, the Republicans secured from State Supreme Court Justice Samuel Edwards a *mandamus* directing the state board not to canvass the vote of Dutchess County on the basis of the Mylod returns. Democrats attempted to have this stay vacated, but Supreme Court Justice Joseph F. Barnard denied their motion. The Democrats received some consolation a few days later when Judge Edwards, in restraining the board from canvassing the returns of any of the contested districts, so stated his order as to assure that all these cases would come before the State Court of Appeals.<sup>12</sup>

Meanwhile, matters had been further complicated by the death of Deane, the Republican candidate, on November 21. Republicans continued the fight, but Deane's death darkened their hopes, for even if he were declared the victor, the seat would remain vacant until the Governor issued a call for a special election. If he so wished, Hill—and after him, Governor-elect Flower—could keep the seat vacant simply by refraining from issuing a call. Few doubted that he would so wish, if Deane were declared the winner.<sup>13</sup>

With the canvassing board prohibited to canvass the Mylod returns for the time being, Hill's revised strategy aimed at preventing any other return from Dutchess from being sent to Albany. If the Mylod returns were the only ones before both the state board and the Court of Appeals, the day might still be won.<sup>14</sup> Within a week, however, these plans

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received a severe setback. On December 12 Judge Barnard granted a Republican request for an order on the Dutchess County board of canvassers and the newly appointed clerk, Storm Emans, to certify corrected returns showing Deane to be the victor, and to forward these new returns to the state board of canvassers.<sup>15</sup>

This series of December decisions infuriated Hill. Both Edwards and Barnard, who has been handing down these adverse decisions, were Democrats. Hill, who sincerely believed that "we are clearly in the right,"<sup>16</sup> was thoroughly disgusted with what he considered the "lack of backbone, pluck, and courage on the part of our Democratic Judges."<sup>17</sup> They seemed to be guided solely by Republican criticism: "They jump over one another in their haste to grant stays when a returning board favors our side, but when the other side gets a certificate none of our judges want to interfere."<sup>18</sup>

In compliance with Judge Barnard's order, the new return was reluctantly prepared by the county board of canvassers and signed by Storm Emans. Instead of forwarding these returns as ordered, however, Emans held on to them while Democrats attempted to have Barnard's order stayed. The Republicans countered with a new order from Judge Edgar M. Cullen, another Democrat, commanding Emans to forward the new returns to the state board forthwith. This order, issued on December 21, was served on Emans that evening, and before 8:00 p. m. he mailed the three copies of the returns, one each to the Governor, the Comptroller, and the Secretary of State, as required by law.<sup>19</sup>

Within a few hours, a stay on Cullen's order, which had been secured by the Democrats before Judge Ingraham in New York City, arrived in Poughkeepsie and was served on Emans. Emans immediately boarded a night train for Albany, and went to Deputy Attorney-General Isaac H. Maynard, who was acting as attorney and counsel for the board of state canvassers. Early the following morning, Emans and Maynard repossessed the unopened envelopes from the three offices to which they had been sent. By this action the returns were kept out of Albany for the present, and the Democrats

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secured a further order to keep the new returns in Emans' possession.<sup>20</sup>

The Court of Appeals handed down its decision in all three cases on December 29, 1891, and on the same day, the board of canvassers issued their certificates of election. In two of the cases the decisions were clear-cut. Frank Sherwood was ruled to have been ineligible in the twenty-seventh district, and in the twenty-fifth, the court ruled that the wrongly endorsed ballots should not be counted, giving the election to the Democrat Nichols.<sup>21</sup> The ruling in the Dutchess case was somewhat less clear, but apparently forbade the canvassing of the Mylod returns.

The state board of canvassers met immediately after the decisions were handed down. Nichols was declared the winner in his district, and no certificate was issued in the twenty-seventh, where Sherwood had been declared ineligible. In deliberate disregard of the court's decision in the Dutchess case, the board awarded the certificate of election to Democrat Edward B. Osborne, on the pretext that the only returns before it on which it could canvass the vote were the Mylod returns.<sup>22</sup>

Considered in the most charitable light, this action was high-handed. What was more inexcusable from the practical politician's view point was that it was probably unnecessary. The Democrats could have controlled the Senate without Osborne. With Nichols seated, there would be fifteen Democratic senators, fourteen Republican, and one Independent. Even if the Independent voted with the Republicans—which was unlikely since he had received Democratic backing in his race against a Republican opponent—the Democrats would have no worse than a tie, and the Democratic lieutenant-governor as president of the Senate would cast the deciding vote. With Sherwood ineligible, Walker could then be seated, and the Democrats would number sixteen. With special elections dependent upon the call of a Democratic governor, there would be no new Republican elected from the fifteenth district, or from any other where a vacancy occurred. Hill, however, seems to have been bent upon leav-



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ing the Senate in certain control of his party, and it was apparently at his insistence that the board of canvassers awarded the certificate to Osborne.

With control of the Senate now assured for the Democratic party, Hill left the governorship and took up his senatorial duties in Washington. The "Steal of the Senate" was at once a monument to Hill's skill in the art of political maneuver and a telling commentary on his insensitivity to moral considerations in politics. His immediate objective having been achieved, he characteristically regarded the incident as closed. But there were others who refused to let the matter die. In the months that followed—crucial months for Hill's candidacy for the Democratic presidential nomination—the matter was repeatedly reopened with the hope of embarrassing Hill. The biggest blow was struck by the New York City Bar Association, a committee of which investigated the conduct of Isaac H. Maynard in the recent struggle for state legislative seats. The committee's report of March 22, 1892, condemned Maynard's conduct as unethical and immoral, if not illegal, and petitioned the legislature to remove him from his newly-acquired seat on the Court of Appeals. Since Maynard had been Hill's appointee and his chief instrument in the fight for the disputed senate seats, the report was an indirect but scarcely veiled censure of Hill.<sup>23</sup>

The "Steal of the Senate," plus the additional incident of the "Snap Convention," which raised similar questions of political ethics, plagued Hill's candidacy, and led to the alienation of many who could not accept the architect and chief engineer of these episodes as their presidential nominee. It is not too much to say that the "Steal of the Senate" contributed substantially to Hill's failure in his quest for the presidential nomination of 1892.

<sup>1</sup> There was also a fourth contest, in the sixteenth district but the Democrats did not expect much to come of it, and did not press it hard. The Republican was finally seated.

<sup>2</sup> Sherwood had held the office of park commissioner of Hornellsville within 100 days of the election. This made him ineligible to sit in the legislature under Article III, Section 8 of the New York State Constitution. *New York Times*, Nov. 11, 1891; De Alva Stanwood Alexander, *Four Famous New Yorkers* (New York, 1923), p. 158.

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<sup>3</sup> Hill papers, New York State Library, Albany, N. Y. (hereafter cited as Hill papers), Hill to C. Peck, Nov. 8, 1891. Although Sherwood won by a large majority, Hill was so confident of success that on the day after election day, he sent a telegram to the Democratic candidate congratulating him on his victory. Hill papers, Fred J. Millener to George S. Bixby, Dec. 6, 1920.

<sup>4</sup> Hill papers, Hill to Frank Campbell, Nov. 6, 1891; Hill to C. F. Peck, Nov. 9, 1891.

<sup>5</sup> Hill papers, Hill to John B. Stanchfield, Nov. 24, 1891.

<sup>6</sup> *New York Times*, Nov. 20, Dec 16, 1891.

<sup>7</sup> *New York Times*, Nov. 29, 1891.

<sup>8</sup> *New York Times*, Dec. 2, 1891; Hill papers, Hill to William B. Kirk, Nov. 28, 1891. There was another contest in this district which came before Judge Kennedy. This concerned the race for an assembly seat, where David A. Munro won over the Democrat, Patrick J. Ryan. The returns from the several districts had variously listed Munro as D. A. Munro, David Allen Munro, etc. On this flimsy technicality, the Democratic canvassing board declared Ryan the winner, giving him 5,229 votes, to 4,398 for David Allen Munroe, Jr., 752 for David A. Munro, and 138 for D. A. Munro! The outraged Republicans secured a *mandamus* ordering the returns sent back to the several districts for correction, but a Democratic member of the canvassing board, Welch, disappeared with the copies of the returns. Meanwhile, Hill removed the Republican county clerk, George G. Cotton, who had refused to sign the false returns. Judge Kennedy later fined the disappearing Welch and sentenced him to thirty days, but Hill, in an obvious abuse of his pardoning powers, granted an immediate pardon. *New York Times*, Nov. 21, 26, 29, Dec. 4, 24, 1891. Ironically, at the same time as the pardon, the January, 1892, issue of the *North American Review* was being sold, featuring the article by Hill on "The Pardoning Power." The article had a high moral tone.

<sup>9</sup> Other phrases, essentially variations on this theme, were also used contemporaneously, among them "stealing of the Dutchess District Senatorship," (*New York Times*, February 18, 1892), "Senate Steal," (*New York Times*, March 9, 1892), and "theft of the State Senate," (*New York Times*, March 23, 1892). D. S. Alexander, *op. cit.*, p. 158, calls it "The Theft of a Senator," and Roscoe C. E. Brown, in vol. III of Ray B. Smith, ed., *The History of the State of New York*, calls chapter XXX "The Stolen Senate." No one phrase was used with great consistency, but all carried essentially the same implication of wrongdoing.

<sup>10</sup> *New York Times*, Nov. 6, 24, 1891.

<sup>11</sup> *New York Times*, Dec. 2, 1891.

<sup>12</sup> *New York Times*, Dec. 2, 6, 8, 1891; Theron Strong, *Joseph H. Choate* (New York, 1917), pp. 83-84.

<sup>13</sup> *New York Times*, Nov. 22, 1891.

<sup>14</sup> See Hill papers, Hill to Ridgeway, Dec. 17, 1891.

<sup>15</sup> *New York Times*, Dec. 13, 1891. Emans, a Democrat, had been appointed by Hill to replace the previously ousted Republican clerk.

<sup>16</sup> Hill papers, Hill to Ridgeway, Dec. 17, 1891.

<sup>17</sup> Hill papers, Hill to A. C. Tennat, Dec. 26, 1891.

<sup>18</sup> Hill papers, Hill to St. Clair McKelway, Dec. 17, 1891.

<sup>19</sup> The events occurring on Dec. 21 and Dec. 22 are related by both Isaac Maynard and Storm Emans in a pamphlet. Judge Maynard, *The Facts Relative to the Contested Elections Case*. It is, of course, an apologia, yet seems to be an accurate account of the actual events. For another view of the incident, see pamphlet by John I. Platt, *The Dutchess County Case, A Unique Story of Crime* (1892).

<sup>20</sup> Hill papers, pamphlet, Judge Maynard, *The Facts Relative to the Contested Elections Case*. Maynard's part in this, especially as regarded the re-possession of the returns, was not fully known until he testified before Judge

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Cullen in the contempt proceedings against Storm Emans. Emans was being held in contempt of court because the returns, despite Judge Cullen's order, never got to the state board of canvassers. He was acquitted, however, since they had, in fact, been transmitted. See Alexander, *Four Famous New Yorkers*, p. 161.

<sup>21</sup> *People ex rel. Sherwood vs. Board of Canvassers*, 129 N. Y. 360, Court of Appeals; *People ex rel. Nicholas vs. Board of Canvassers*, 129 N. Y. 395, 449, Court of Appeals.

<sup>22</sup> *New York Times*, Dec. 30, 1891.

<sup>23</sup> Hill papers, Association of the Bar of the City of New York, *Report of the Committee Appointed under the Resolution of March 8, 1892, on the Action of Isaac H. Maynard*.

## NEW YORK STATE AND LOCAL HISTORICAL RESEARCH IN PROGRESS

### NINTH ANNUAL LISTING—1959

The Ninth Annual Listing of New York State and Local Historical Research in Progress, 1959, includes all information forwarded to the State Historian's Office by Local Historians, historical societies, and school and college teachers of history, before May 10, 1960.

Research subjects are listed under the following categories: Regional, Counties, Towns and Villages, Cities, Biography, Economic Activities (including Travel and Transportation, Banks and Banking), Education and Religion, Indians, Military, and Miscellaneous.

The listing is in alphabetical order by the author's last name, with the title or subject of the research following. The name of the sponsoring organization or the place where the completed research may be consulted appears in parenthesis, with the expected date of completion. Occasionally the name of the publisher is given. Subjects noted in previous years are not repeated here. Listings of names or titles are not included.

Persons who have information about other research activities in New York State and local history are requested to forward complete details to this office. Forms for the purpose are available. This office can supply addresses of those engaged in research, but it does not have copies of the research papers.

ALBERT B. COREY, State Historian  
Division of Archives and History  
The State Education Department  
Albany 1, New York

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## ARTICLES OF INTEREST TO YORKERS

Selected by

DOROTHY C. BARCK

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- CALLAHAN, North. "Henry Knox, General Washington's General." *The New-York Historical Society Quarterly* XLIV:150-165, April 1960. Illustrated.
- CHAZANOF, William. "Joseph Ellicott and the Bank of Niagara." *Niagara Frontier* 6:97-106, Winter 1960.
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## THE DIRECTOR'S PAGE

*Spring, 1960*

The Spring has come and brought with it the usual shifting into high gear of your Cooperstown organization. It is now that the quiet business of the winter months comes to light. George Campbell and Per Guldbeck had been busy in the main building of The Farmers' Museum. The entry area has been redesigned to clarify the interpretation and many of the exhibits have been improved on the first and second floors. Our electric power problem has been solved there and exhibits can be adequately lighted now.

Last fall the stock of the Country Store was analyzed and many late 19th Century items removed from the shelves and counters to get closer to the period before the Civil War. The result is a sparser but more accurate display. If we have to choose between the historic fact and the dramatic, it is the former which must win, whatever it does to our sense of showmanship.

After an April 24th preview for members of the Association and our neighbors, the new collection of folk art at Fenimore House opened April 30th with more fanfare in the press than we have ever had for a comparable event. George Clay's article in *American Heritage*, his canny coverage of newspapers and magazines, have given this remarkable gift of Mr. Stephen C. Clark, and our collection in general, a coverage unusual for historical societies or even for great urban museums.

Yesterday I took a long prowl the length and breadth of our two museums and came back to my office feeling satisfied that we have never faced a new season in better shape than we are today. The staff, the grounds, the buildings, the exhibits, all seem to these critical old eyes closer to the desideratum than ever before. Maybe I'm just getting soft but I doubt it.

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### *Yorkers*

The end of the year for the junior program is at hand and finds us with our own tailor-made population explosion. Membership has risen to 8232, an increase of 17% over last year, and we are now up to 230 chapters.

The Yorker Convention at Buffalo, once more, was a very moving sight and the student exhibits of highest quality. I was especially pleased with the excellence of the exhibits entered in the competition for the cup offered by the Women's Auxiliary of the Pharmaceutical Society of the State of New York.

Mr. Rath is holding a planning meeting here at Fenimore House for Yorker Sponsors on October 1st, which is intended to lighten the burden of those devoted teachers who make this program the resounding success it is.

### *Workshop*

Looking ahead to the next five years we are aware that every locality will be thinking about the part it wants to play in the Civil War Centennial. The function of this Association is to help provide know-how and expertise. To that end we shall devote this year's Workshop to the theme: "New York State and the Civil War." Fred Rath will be in charge.

The State University College of Education at Oswego has offered to serve as co-host. This campus, with its lovely location on Lake Ontario, will serve as a most pleasant site for the sessions on Wednesday, Thursday and Friday, September 7, 8 and 9. The Workshop will open at noon on Wednesday and will close 48 hours later, at noon on Friday. The College is offering the same bargain rates for room and meals as last year at New Paltz.

Maj. Gen. U. S. Grant 3rd, USA (Ret.), Chairman of the Civil War Centennial Commission, has agreed to be with us for an opening session on the nature of the proposed federal and state centennial celebrations. He will be joined by a representative of the state commission. Dr. J. Walter Coleman, Staff Historian with the National Park Service and Civil

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War expert, will give an illustrated talk on battlefields of that war on one evening. The other evening entertainment will be a showing of that stirring old classic, "The Birth of a Nation." Bibliography, community resources, and Civil War arms and accoutrements will be discussed by experts at other panels. The final session, held with the New York State Folklore Society, will be on folklore of the period.

### *A Gift*

The Association has recently been named one of six residuary legatees in the will of Miss Mary G. Crawford of Saugerties, New York. This legacy is expected to amount to about \$14,000.00 when the estate is settled. We didn't know Miss Crawford very well; we had had some correspondence with her when, a year or so ago, she gave us a blue china teapot at the suggestion of Mrs. Gordon H. Decker of Catskill.

This bequest is a great satisfaction to us and will go into our Endowment Fund where it will provide the means for furthering the work we are doing. Each of you might ask yourself whether this is not a work you would like to support in this same practical manner. I repeat here a question I asked last month at the wonderful fiftieth birthday party of the Society for the Preservation of New England Antiquities: Have you written any good codicils lately? And if so, did you remember to mention the New York State Historical Association? And don't feel that we welcome only bequests. A gift to the New York State Historical Association now is deductible from your income tax next April. Be an angel before your time!

### *A Voyage*

Ever since 1947, when I came to Cooperstown as Director, I have been traveling all over the United States and Canada with two paramount purposes: first, to acquaint myself with every phase of historical society and museum work, so that we might constantly adopt the best ideas available; second, to carry the word of our work throughout the continent,



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supplementing all the other devices of public relations.

Now the Trustees have generously agreed to permit me to spend four months in Europe to pursue the same objectives. Shortly after Seminars are over Mrs. Jones and I will leave on the *Bremen* for a trip which will include parts of Germany, Scandinavia, the Low Countries, France and Britain. We shall visit all the leading outdoor museums comparable to our Farmers' Museum, the regional art museums comparable to Fenimore House, the little local historical museums, folklore archives and historic sites—as well as the great national museums of these countries. We shall be learning, and we shall be selling the ideas and values at Cooperstown to everyone who can understand English and sub-standard French. We are carrying with us photographs, Kodachromes, pamphlets, brochures and articles so as to leave a clearer concept of our program abroad than language will permit.

We have another purpose, too. We shall be searching for European equivalents of the types of paintings and carvings which comprise our folk art collection. No one has been able to state clearly which aspects of our non-academic art are indigenous, and which, on the other hand, are rooted in European tradition. We do not expect to find definitive answers but we hope, at least, to clarify our own thinking.

While this bids fair to be a very busy and intensive journey, we are looking forward to it with infinite pleasure and expect to have the time of our lives.

Meanwhile, back at the ranch, my very able colleague, Frederick L. Rath, Jr., will be in charge—and things couldn't be put in better hands.

LOUIS C. JONES

## BOOK REVIEWS

*Indian Affairs in Colonial New York: The Seventeenth Century.* By Allen W. Trelease. (Cornell University Press, Ithaca, New York, 1960. Pp. xv, 379. \$6.75)

This is an excellent, short and yet comprehensive, account of the aborigines of New York and their dealings with both the Dutch and the English from 1609 to 1701. There is no other history available which covers in one volume the story of the Dutch and the Algonquian tribes and the first contact of the Dutch with the Mohawks, as well as the later relationships between the Dutch in Albany, the English in New York and the Five Nations of the Iroquois Confederacy. Dr. Trelease's *Indian Affairs in Colonial New York: The Seventeenth Century* should be indispensable for all students of the period.

The author brings out the importance of Arent van Curler (Corlaer), Peter Schuyler (Quider) and Robert Livingston in New York's dealings with the Indians from 1643 to 1701. Their personal influence with the Mohawks and the Mohawk loyalty to the Dutch in Albany became the cornerstone on which first Dutch and later British Indian policy was founded. The chieftains made it quite plain in Leisler's time that their devotion was to the Albanians and not to New York—either the town or the province. Because of this the merchants in Albany really determined the Indian policy of the colony for years after the English conquest.

Dr. Trelease does not offer any explanation of the remarkable ability developed by the Dutch for getting along with the Mohawks but he hints at it when he describes the sufferings of the Earl of Bellomont. The Governor described a conference with the Indians as "the greatest fatigue I ever underwent in my whole life. I was shut up in a close chamber with 50 Sachems, who besides the stink of bear's grease with which they plentifully dawb'd themselves, were continually

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either smoaking tobacco or drinking drams of rum" (p. 350). Brother Quider was never so squeamish.

Dr. Trelease should be complimented on an important and much needed job well done. No one interested in New York or Indian history can afford to miss it. I can question only one of the conclusions reached by the author in his almost four hundred pages. In discussing the long wars of the Iroquois in which they destroyed one tribe of their kinsmen after another he attempts to analyze their motives. He says flatly (p. 120) that the explanation proposed by C. H. McIlwaine and expanded by George T. Hunt has never been proved.

Their theory, which he does not state quite correctly, is that the Iroquois attempted to make themselves middlemen in the fur trade, exchanging European goods purchased in Albany for the beaver collected by the Far Indians. The Hurons who traded with Montreal were in control of the trade. The Five Nations eliminated them and went on to destroy all of their related tribes, and fought France also, with whom they were allied. Dr. Trelease says that support of this theory can be found only in the French records of a much later period. He also states that the Iroquois were only hunters and robbers and that no mention of their desire to be middlemen can be found in Anglo-Dutch records before Robert Livingston (who knew more about the whole situation than any other Briton before William Johnson) mentioned it in 1700. On this point Dr. Trelease is in error. The unknown Dutchman who visited the Mohawks and Oneidas in 1634 and kept a journal of his adventure gave the trade that they were trying to start with the "French Indians" as the chief reason for his trip. Similar instances can be found in many places in the *New York Colonial Documents*, especially volumes III and IX. There is a very interesting report from Governor de Courcelles of New France who made a special trip to Lake Ontario in 1671 because some Ottawas the year before had gone to the Iroquois country and there traded their beaver skins for Dutch clothing and arms. The missionaries and the French officials had done their best to

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stop them, but the Ottawa had promised to return the next year and the Governor himself had had to visit them to bring them back in line. I am firmly convinced that Hunt's theory is basically correct and that the wars of the Iroquois were motivated largely by their desire to eliminate their competitors and to win control of the fur trade for the benefit of themselves and their friends in Albany.

*Hartwick College*

ELIZABETH S. HOOPES

*Samuel Vetch: Colonial Enterpriser.* By G. M. Waller. (University of North Carolina Press for the Institute of Early American History and Culture at Williamsburg, Va.; Chapel Hill, 1960. Pp. xiii, 311. Illustrations, endpapers, bibliographical note, index. \$6.00)

For the historian operating with hindsight, Samuel Vetch's life is not only his own personal tragedy, but also that of the British empire. Here was a young man with a background typical of those of many other Scots who sought their fortunes in England's colonies, but who also possessed remarkable administrative talent, foresight, persistence, and courage. His repeated attempts to employ these on behalf of the empire were constantly frustrated, however, by the muddling inefficiency of the British government during the first quarter of the eighteenth century. He had clearly marked out the opportunity to seize Canada at a time when Britain's own colonies could not benefit from the lessened dependence on the mother country which would result from France's expulsion from the continent, but the British failed to utilize it until half a century later when her own colonies could and did take advantage of the situation.

Dr. Waller deserves credit for having rescued this significant imperial figure from the near oblivion to which he has hitherto been relegated. Vetch's career is of importance to New York, Massachusetts, and Nova Scotia, the three colonies that he markedly affected. New Yorkers have a special interest in him because of his marriage into the colony's powerful

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Livingston clan. Unfortunately, Dr. Waller has not presented as rounded a portrait of Vetch the man as might be desired, but the fault is not wholly his. The lack of personal documentary material places a limit on the biographer. However, for the last years of Vetch's life there is untapped material in the letters of his in-laws, Robert and Alida Livingston. Vetch frequently wrote to his father-in-law and, although those letters have not survived, Livingston often commented on them in his own correspondence to his wife. Also, some light could be shed upon the state of Vetch's finances at his death by consulting the assignment of his and his wife's interest in Robert Livingston's estate to his London creditors (to be found in the Bayard Papers at the New York Public Library).

Perhaps more important are certain errors of interpretation which require correction. There is an unfortunate tendency to paint a pallid and overly sympathetic portrait of Governor Cornbury. He was not, for example, "quite willing to see Livingston paid" the sums he legitimately claimed from the New York government in 1702. After waiting eight months, Livingston finally concluded that Cornbury was not "designed to part with any money," and this was confirmed by the Council's action two months later. Dr. Waller's effort to pass the responsibility for Cornbury's attitude of neutrality during the early years of Queen Anne's War to Livingston and Peter Schuyler is without evidence. Livingston, in particular, was unconnected at that time with Indian affairs except for the Iroquois' request that he be sent to England as their agent to impress upon the British officials the seriousness of the French menace. Cornbury's neutrality, which passed the full burden of the war to New England, was clearly of his own making. The Governor was far more evil and malicious, as his contemporaries freely testified, than Dr. Waller suggests.

In his references to Lieutenant Governor Richard Ingoldesby, who succeeded John Lovelace as Governor, Dr. Waller has erred somewhat. Ingoldesby was not in New York when Lovelace died, but he returned a month later. And the real reason why Ingoldesby was neglected for a military command

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by Vetch was not his lackluster reputation, the possibility that Connecticut might take offense, or that his civil duties precluded military service, but rather that Ingoldesby, as Thomas Byerly suggested, was a tool of Cornbury, for whom Vetch had no love.

These criticisms are suggestive, not of Dr. Waller's failing, but of the difficulties he encountered in becoming sufficiently conversant with the intimate history of a number of colonies in a period for which there is no reliable guidepost in the form of secondary accounts from which to recreate the framework of the narrative. Indeed, he should be commended for having entered an area where most historians have seemingly been reluctant to venture. The only major secondary account on which he could rely was Herbert L. Osgood's *The American Colonies in the Eighteenth Century*, a work that has long since been out of date. As a major effort to delve into the history of a group of mainland colonies within an imperial framework, *Samuel Vetch: Colonial Enterpriser* stands forth as a light beckoning others into a vast uncharted region. Let us hope that the devotees of *Clio* will follow.

*Brandeis University*

LAWRENCE H. LEDER

*General John Glover and His Marblehead Mariners.* By George Athan Billias. (Henry Holt and Company, 1960. Pp. xii, 243. Illus., Maps, Notes and Index. \$5.50)

Probably no picture of the Revolutionary War scene is better known to the average American than the one, however erroneous in detail, which depicts Washington crossing the ice-choked Delaware on a December night in 1776. Another amphibious exploit less well known but perhaps even more nerve-racking was the transportation of Washington's army across the East River to Manhattan after the disastrous battle of Long Island in August of that same year. These brilliant feats, daring in conception and execution, were carried out by New England mariners under the command of General John Glover of Marblehead.

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Professor Billias has focused the spotlight rather deservedly on this Revolutionary officer who pioneered these waterborne operations in American military history. While the Trenton affair served to bring sorely-needed encouragement to a depressed patriot army, the Long Island exodus was one of the most important incidents in the early months of the war. If the patriot forces had been captured by the British, it could easily have meant cessation of hostilities even if Washington himself had escaped; certainly the psychological effects of a disaster of this magnitude would have been overwhelming. The able handling of these ferrying assignments by General Glover's Marbleheaders and other New England seamen was a major contribution to the escape from Long Island and to the victory at Trenton, and Professor Billias renders a clear account of the difficulties encountered in each of these remarkable experiences.

The book holds interest beyond just these two occasions. General Glover served in the army until 1782 and during these years gave distinguished service to the patriot cause. His aid to Washington in the early stages of the war in Massachusetts in 1775 in outfitting what was known as "Washington's fleet;" his command of the troops in the important holding action at Pelham Bay in October, 1776, which saved the American army from encirclement; his part in the battle of Saratoga in 1777 and in the battle of Rhode Island in August, 1778, are all graphically described.

Over and beyond the actual military action, however, the reader is brought in contact with the almost intolerable conditions faced by military commanders when their forces were ill-clad, undernourished and unpaid; they themselves were often physically incapacitated by fatigue and exposure and their personal financial resources almost completely depleted. Again the eternal question comes to the fore—by what superhuman capacity did officers and men who saw the ordeal through survive such a time?

This is a fully documented book and well worth reading. The work of the men in the lower echelons of command needs such careful study for without it the jigsaw pattern

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of the Revolution cannot be pieced together. Professor Billias had done this for John Glover and there will be others who will perform the same mission for the lesser-known staff officers. Perhaps only Washington knew how much each contributed to the grand victory at the end.

Highly commendatory features of the book are the thorough and exhaustive notes relating to each chapter and a good workable index.

*Hofstra College*

MYRON H. LUKE

*Dictionary of The American Indian.* By John Stoutenburgh, Jr. (Philosophical Library, Inc., New York, 1960. Pp. 462. \$10.00)

There has been a definite need for a dictionary of the American Indian for a considerable length of time. The author has made a step in the right direction in compiling this volume, but, although he has made an excellent attempt, it contains many discrepancies which should be rectified. Even a lifetime of research and study could not produce a complete and authentic listing of Indian tribes, names and places. The aborigines left no written records as a guide—their words were carried down from one generation to another which resulted in obvious distortion of the original.

When one considers that at the time of the conquest more than 50 unrelated linguistic stocks and 700 dialects were in existence (the linguistic stocks having no common vocabulary or grammatical structure and the dialects differing from one another as much as German and English), one can readily see what an enormous undertaking a dictionary of this type becomes. Since the linguistic situation of the American Indian is so complex, their phonetics and structure vary so considerably, and the scope is so large, it is a difficult task to combine all in one volume. In the United States alone there would be at least seven different classifications—the Northwest Coast, California, Plateau, Plains, Southwest, North-



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eastern Woodland and the Southeastern Woodland. These groups would perhaps have similarities.

Many of the definitions contained in this book are incorrect and incomplete, and they could be more explicit and descriptive. The use of footnotes, references and cross indexes would also add greatly to the value of this book.

*Cooperstown*

CLYDE B. OLSON, SR.

*Lewis Henry Morgan: American Scholar.* By Carl Resek.  
(The University of Chicago Press, 1960. Pp. 200; illustrations, 4 pages of halftones. \$4.50)

Who would have guessed that out of the Greek revival in upstate New York at the mid-nineteenth century would have come the science of anthropology? Yet Lewis Henry Morgan was born at Aurora on Cayuga Lake in 1818, when the smoke of the council fires of the People of the Great Pipe was all but perceptible; as a lad he was to found a boys' club to read the classics before entering Union College, where he showed intellectual curiosity and an early talent for writing about man and nature; then, as a man he made a fortune as a corporation lawyer in the milling town of Rochester, speculating in railroads and mining in upper Michigan, and represented Rochester's interest in the State Legislature, before turning his back on these evidences of conspicuous civic success and devoting his mind and fortune to the life of the intellect. This was really the resolution of a long-standing conflict in his personality and in the culture of nineteenth century America between material success and amateurism in science and the arts.

That the mind was to win out was foreseen in Morgan's role in the formation of societies. The Gordian Knot, the Grand Order of the Iroquois, with its chapters in the tribal territories of the League, the Pundits of Rochester which became simply "the club"—all were to follow the intellectual bent of Morgan's ethnological studies, maturing in his joining the American Association for the Advancement of Science

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at its 1856 meeting in Albany, where he "resolved to take up ethnology again as soon as his business affairs allowed," and culminating in election to the National Academy of Sciences, in 1875.

To say that Morgan was the most important social scientist in nineteenth century America is an understatement. He belongs in that galaxy of brilliant New Yorkers which includes Joseph Henry and James Hall, who drew the attention of the whole world to New York State. Until the publication of Carl Resek's biography, Morgan's place in nineteenth century scholarship has never been adequately explained. In claiming him as the intellectual peer of Darwin, Herbert Spencer, Edward Tyler, and Engels, the Marxists have played down his associations with Henry Adams, Francis Parkman and the Pundits of Rochester who were obviously capitalists and therefore, in their view, representatives of a misguided social system. But we now understand that he was less influenced by scholars of the day than by politicians, by his local church and pastor, the Rev. Joshua McIlwaine, and by the issues and pressures that beset Rochester of his day. This is an eminently sensible book, competently written, and it greatly enhances an understanding of the man and of the history of science.

How Morgan came to write *The League of the Iroquois* (1851) recounts the birth of ethnology and omits few details. Resek missed the key importance of the Pickering Treaty (1794) in later Seneca land claims, but makes a nice point that Morgan's role in defeating the Ogden Land Company claim to Tonawanda Reservation was essentially that of recording scientists and not as attorney. That his objectives were scientific and not historical, I agree; but I would attribute the ease with which he gained information among the Senecas to rapport, their confidence in him, and I disagree that this is a sign of demoralization. I would like to underscore that the Governor and Regents of the University of New York inspired the first field-collected and documented ethnological collection, which is still largely preserved in the New York State Museum, and that Morgan's Reports com-

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menced a long line of scientific publications. That Morgan liked his subjects in no way detracts from their preeminent position among savages, and that he sought to "encourage kindlier feelings toward them" makes him no less a scientist.

No New Yorker should miss the account of intellectual life among the Pundits. It was the best of such community enterprises west of Boston and north of Philadelphia. There was indeed "... a good deal of good thinking being done in Rochester" (Andrew D. White)!

*The Indian Journals*, recently edited by Leslie A. White and published by the University of Michigan, should be read with the chapters on the discovery of kinship and marriage systems and the application of the theory of evolution to the history of the human family. These two ideas produced Morgan's two great works: *Systems of Consanguinity and Affinity in the Human Family* (1870), and *Ancient Society* (1877). But grateful as ethnologists should be for new light on well known works, they should be even more delighted by "Private fortunes and public enemies" in which Morgan's voting record in the Legislature makes him out to be a man of his locality, sanctioning Jay Gould but breaking the monopoly of the New York Central that would hold up the freight rates on Rochester flour.

*New York State Museum, Albany* WILLIAM N. FENTON

*The Face of Early Canada.* By F. St. George Spendlove. (Toronto, Ryerson Press, 1958. Regular edition \$8.50, deluxe edition \$14.00. Pp. xxiv, 162. 128 plates, including 6 in full color.)

The historic links of New York State with Canada are many, and much too little known to most of us. Both before and after the American Revolution, we have had a considerable common heritage.

The handsomely reproduced plates in this long-needed volume, nearly the first in its field from Canada, are all selected from the Sigmund Samuel Canadiana Collection at

the Royal Ontario Museum. There are other repositories of Canadiana, whose treasures we may hope to see publicized with increasing frequency. Meanwhile, Mr. Spendlove has made a coherent choice from the Samuel Collection for this volume. He remarks, "the present writer would like to point out that the number of prints concerning Canada before Confederation—without including portraits of individuals or pictures in which the principal interest lies in Indians or Esquimaux, or events concerning Canada which took place elsewhere—must number several thousands. Even if these pictures were all recorded (and a great many of them are not) considerations of space have made it possible to point out only those which have unusual historical or artistic interest or both."

Mr. Spendlove was born in Montreal, to a family having a long history in Quebec Province. (It was a kinsman of his who found General Montgomery's sword in the snow the morning after the General died at the siege of Quebec.) An art critic by training, a student and connoisseur of worldwide experience, Mr. Spendlove was graduated from the London University School of Chinese Archaeology, and joined the staff of the Royal Ontario Museum in 1936. There after a few years he began to work very closely with Mr. Samuel, and since 1952 he has been Curator of the Canadiana Collections, including the Samuel Collection. He is an active teacher, and contributor to art periodicals.

Primarily, this is a book of prints, but there are a few representative watercolors and oils among the illustrations, which show the relationship of originals to print subjects. The opening chapter discusses the various print methods, and why it was that pencil and ink sketching, and watercolor, lent themselves so well to the purposes of the earlier artists in Canada. The organization of the chapters combines chronological and subject groupings as logically and usefully as could be. A great many more prints are described than are illustrated—with full titles, sizes, dates, etc., and biographical notes on the artists involved. The bibliography is short, but

## BOOK REVIEWS

publications dealing with Canadian art before the late nineteenth century are few and far between.

In a book of this sort, intended to be a research tool as well as a handsome experience in art and pictorial history, it is regrettable that the mechanical features, such as indexing and cross-referencing, are so infuriatingly deficient. The index is divided in two, the first part, a general one, called simply "Index," then, to catch the unwary, there is a second section, "Index of Authors, Engravers and Publishers." I cannot see the point of this, as the alphabet is quite capable of keeping all the items unscrambled, and it's a nuisance to look in more than one place. Moreover, neither index leads to the Plate numbers, and by no means is every picture in the text indexed. Titles are given in varying forms, and indexing is by arbitrarily selected sections of the title, e.g., "Attack and Defeat of Rebels, Dickinson Landing," is indexed under Dickinson. This writer suspects that the all-too-common practice of farming out the indexing was followed.

An almost useless luxury occupies five typographically handsome pages before the text—a running list of the illustrations, serially by plate numbers—giving the same information you can readily scan by leafing through the plates, which are published together in the back of the book, on an agreeable coated paper.

The worst omission is such a simple one. Why could they not put under the plates, at the right, the page numbers where they are discussed? Especially as the plates are not in the same sequence as the discussions of them? For the lack of these few unobstrusive numbers (which would in fact balance the plate numbers on the left), one is forced to fish in the indices and through the text.

A lovely book for the connoisseur, important for the scholar, is damaged by old-fashioned ideas of organization.

*Cooperstown*

AGNES HALSEY JONES

## LETTERS TO THE EDITOR

Jamestown, New York  
13 March 1960

The Editor  
*New York History*  
Cooperstown, New York

It seems to me that an injustice has been done to my book *Chautauqua County—A History* by the review in your January issue. In the interest of fairness I would like to point out the more serious misstatements in the review.

The reviewer refers twice to imbalance in the book with "undeservedly overwhelming emphasis on Jamestown," and cites Chapter 30, "A Century of Free Education," as "an example." An example is supposed to be typical of whatever it is intended to illustrate. Aside from the chapter on Jamestown the City, which parallels a chapter on Dunkirk, the only other city in the county, there is only *one* other chapter out of forty chapters, in which the major emphasis is on Jamestown. In both of these cases the reason was that I was unable to get the desired amount of information about the rest of the county. A check of references in the Index shows that in proportion to population, Dunkirk fares a little better than Jamestown. Considering that Jamestown has almost one-third of the population of the county, the imbalance, if any, would seem to be in the opposite direction.

The bibliography is alleged to be "a bit heavy on general works." The most general work in the list is the ten-volume *History of the State of New York*, published by the New York State Historical Association. Surely the reviewer would not rule that out? If he were familiar with the sources, he would know that each one has some material bearing directly on Chautauqua County or its immediate neighbors, the area of which the

LETTERS TO THE EDITOR

county is a part. Further, general works are as a rule based on secondary sources. My bibliography includes over 50 primary sources out of 137 items listed, and almost every one of the others is based on primary sources.

I wonder what the reviewer means by the word "superficial." There is not a sweeping statement in the book not backed up by specific details documented in the bibliography. I originally prepared footnotes, but decided against using them. If this is what Mr. Heppell requires to make a work scholarly, I do not think the "general reader" would agree with him, still less the seventh graders.

Yours very truly,  
[Signed:] HELEN G. McMAHON

Cortland, New York  
May 10, 1960

Dear Editor:

To paraphrase a portion of Miss McMahon's opening sentence, it seems an injustice has been done to my review.

The author directly misquoted the review when she attempted to extract ". . . with the Jamestown *area* receiving an undeservedly overwhelming emphasis." (italics added) and produced "'undeservedly overwhelming emphasis on Jamestown.'" There is a great difference, and any reader familiar with Chautauqua County will easily understand the reviewer's comment. It is hoped that the author was more careful with her sources when working on the book. Furthermore, since the author raises the point, it is not only regrettable but also incredible that she was "unable" to obtain sufficient information on the rest of the county to achieve better balance.

The author's comparison of Jamestown with Dunkirk (not mentioned in the review except bibliographically) would suggest that she has overemphasized the historical significance of current population figures. But, since she brings up the matter, does Dunkirk fair better proportionately than Jamestown? Using her own population statistics and the text space utilized, counted from her own specific city references in the index, simple

## NEW YORK HISTORY

arithmetic discloses that Jamestown has approximately 2.4 times the population of Dunkirk but 5.7 times as many pages (counting 37 lines per page).

The reviewer did not suggest ruling out any of Miss McMahon's references *per se*, but did question the use of vague references that appear to be student papers (a point not denied by the author) and the failure to make but minor use of county newspaper materials. Number of primary sources in a book of this type is perhaps not critical, and the review made no mention thereof. Be that as it may, the reviewer's count of primary sources listed in the bibliography is about 30 rather than over 50, indicating a variance between the author's and the reviewer's concept of what constitutes primary sources. Incidentally, one-third of these 30 primary sources in this history are listed for three chapters on agriculture, 24, 25, and 26.

The reviewer made no mention of "sweeping" statements, commented upon by the author, and he would refer her to any good dictionary for a definition of "superficial."

The review did not mention lack of footnoting, but the reviewer is unconcerned with whether or not the general reader or seventh grader agrees that footnotes make a work scholarly. It is questionable, however, if the intellectual level of intended readers is as low as Miss McMahon appears to think.

In her opening paragraph, Miss McMahon refers to ". . . the more serious misstatements in the review." She thus implies that there are others, but it is significant that she failed to point them out even though she was completely free to do so. Instead, she has concentrated on "misstatements" which seem to have been invented by herself.

Very truly yours,  
[Signed:] ROGER C. HEPPELL



## SIGHTS AND SOUNDS OF NEW YORK STATE HISTORY

Compiled by  
WILLIAM G. TYRRELL\*

### *Preface*

This listing of audiovisual materials, available as of December 31, 1959, suggests 16mm sound motion pictures, 35mm silent filmstrips, and long-playing recordings, which may be used as teaching aids to supply realistic contacts with events and personalities in New York's past. It does not include feature-length fictionized films, purely descriptive materials, or travelogs of contemporary scenes.

Titles, with brief descriptions and notes on contents, are listed under the names of producers, which are presented alphabetically. Following each title is the date of release (whenever known), with "16mm" to indicate 16mm sound films, "35 mm filmstrips" for releases of that type (all filmstrips herein listed are without recorded accompaniment), and "LP" for long-playing phonograph recordings. Length is indicated in minutes for films; in number of frames for filmstrips; and in inches of diameter for recordings (a 10-inch record takes about fifteen minutes of playing time per side; each side of a 12-inch record plays about twenty minutes). Films and filmstrips are black and white only, except where color is specifically indicated, or both color and "b. & w."

Sales prices are noted for most items. Filmstrips and recordings are usually available only by purchase. Rental sources for 16mm films are indicated by abbreviated references to film libraries and companies named in full at the end of the listing, with complete addresses.

The appropriate age level for each item is noted, in parentheses, by the word "adult" or by abbreviations "Elem.," "Jr.,"

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\* Mr. Tyrrell is Historian in the Division of Archives and History, Albany, which is directed by Dr. Albert B. Corey, State Historian. He is Audio-Visual editor of *History News*, published by the American Association for State and Local History.

He contributed "Audio-Visual Aids for Local History" to *American History*, *A Journal of Community History*, October 1947-April 1949. From 1949 through 1955, Mr. Tyrrell edited the regular department "Seeing and Hearing History" in the new series of the magazine *American Heritage*. Since Spring 1950, he and B. A. Botkin have regularly contributed "Upstate, Downstate, Folklore News and Notes" to the *New York Folklore Quarterly*.

## NEW YORK HISTORY

"Sr.," or "Col.," meaning elementary, junior high school, senior high school, or college, respectively.

Titles following "Also" under firm listings contain materials relating less directly to New York State history than others.

Requests for borrowing films should be made as far in advance as possible, and, when practicable, alternate dates or titles should be included with each reservation. Every item should be previewed before presentation to class or audience.

When appropriately introduced and explained, all of these audiovisual aids will help in recreating the past and in stimulating discussion of the subject presented.

This listing, reproduced by "Xrox," with an index of titles by period and subject and with a second index by media, was distributed recently by the Division of Archives and History to about two hundred local historical societies throughout New York State. That listing may be obtained, without charge, upon application to Dr. Albert B. Corey, State Historian, so long as the supply lasts, but only a very limited number is available.

The Division of Archives and History, State Education Building, Albany 1, N. Y., will welcome details of other worthwhile audiovisual materials pertaining to New York State history, so that they may be included in future listings.

### 1. BRANDON FILMS, INC.

200 West 57th Street, New York 19, N. Y.

#### 1-1 *The Roosevelt Story*

(1949; 16mm, 80 mins. Rental only: \$17.50)

This "official film biography" of Franklin Delano Roosevelt was assembled from motion pictures made between 1903 and 1945, and provides a comprehensive portrait of Roosevelt's career, interests, and personality.

(Sr., Col., Adult)

Rental: Brandon Films, Inc.

### 2. CORONET FILMS

Coronet Building, Chicago 1, Illinois

#### 2-1 *Walt Whitman: Background for His Works*

(1957; 16mm, 13½ mins.; color and b. & w. \$137.50 and \$75)

Scenes of places connected with the life of the famous Long Island poet; also shows influences on his poetry of changing developments in 19th-century United States.

(Jr., Sr., Adult)

Rental: Nat. Hist.

ALSO:

### SIGHTS AND SOUNDS OF HISTORY

- 2-2 *Age of Discovery: English, French and Dutch Explorations*  
(1956; 16mm, 11 mins.; color and b. & w. \$110 and \$60)  
The search by explorers for a direct route to the Orient, and their influence on later colonial developments.  
(Jr., Sr.) Rental: Syr.
- 2-3 *French Explorations in the New World*  
(1956; 16mm, 11 mins.; color and b. & w. \$110 and \$60)  
Follows the routes of French explorers in the New World and their work in laying the basis for a colonial empire.  
(Elem., Jr.) Rental: Syr.
- 2-4 *English and Dutch Colonization in the New World*  
(1956; 16mm, 11 mins.; color and b. & w. \$110 and \$60)  
English settlements in Virginia and Massachusetts, and the Dutch colony of New Netherland.  
(Elem., Jr.) Rental: Syr.

### 3. E. I. DU PONT DE NEMOURS AND COMPANY

Advertising Department, Motion Picture Distribution  
Wilmington 98, Delaware

Fifty-two titles in the television series "Cavalcade of America" are available, on 16mm film, by loan from this source. The black and white releases last about 26 minutes. They keep and hold the viewer's interest as the subject progresses to a suitable climax; occasionally, however, history is altered to emphasize the dramatic. Three of particular New York interest are:

- 3-1 *Margin for Victory*  
Activities of the spy network during the Revolution, especially some of the thrilling escapades of American spies in New York City and on Long Island.  
(Sr., Adult) Rental: E. I. du Pont de Nemours and Company
- 3-2 *Betrayal*  
This account of Benedict Arnold's treason stresses his romantic devotion to his wife.  
(Sr., Adult) Rental: E. I. du Pont de Nemours and Company
- 3-3 *Tiger's Tail*  
A graphic presentation of Thomas Nast and his part in bringing about the downfall of the Tweed Ring.

## NEW YORK HISTORY

(Sr., Col., Adult) Rental: E. I. du Pont de Nemours and Company

### 4. ENCYCLOPEDIA BRITANNICA FILMS

1150 Wilmette Avenue, Wilmette, Illinois

4-1 *The Longhouse People* (No. 572)

(1950; 16mm, 24 mins.; color; \$240)

Produced by the National Film Board of Canada in cooperation with the National Museum of Canada and the Council of the Six Nations Iroquois Indians, the film shows traditional Iroquois dances and religious ceremonies as they have been preserved and are observed on a Canadian reservation.

(Jr., Sr., Adult) Rental: Syr.

4-2 *Life in New Amsterdam*

(35mm filmstrip, approximately 50 frames; color; \$6.00)

One of the film strips in a series on "Life in Early America," this one uses color drawings to show family activities and everyday surroundings.

(Elem.)

4-3 *Peter Stuyvesant*

(35mm filmstrip, approximately 45 frames; color; \$6.00)

A filmstrip in the "Children's Stories of Famous Americans" series, this release reviews influences on Stuyvesant's life and his record as Director General of New Netherland.

(Elem.)

4-4 *Alexander Hamilton* (No. 515)

(1950; 16mm, 18 mins. \$120)

Episodes in Hamilton's life from his boyhood to his duel with Aaron Burr, with attention to his role in the American Revolution, his part in the adoption of the Constitution, and his achievements as Secretary of the Treasury.

(Jr., Sr., Adult) Rental: Syr.

4-5 *Alexander Hamilton*

(1959; 35mm filmstrip, approximately 50 frames. \$3.00)

A filmstrip adaptation of pictorial material in the above motion picture in the "Founders of America" series.

(Elem., Jr.)

4-6 *Washington Irving* (No. 441)

(1949; 16 mm, 18 mins. \$120)

SIGHTS AND SOUNDS OF HISTORY

Dramatization of Irving's education, travels, and other backgrounds that inspired his writing on New York State and other subjects.

(Jr., Sr., Adult) Rental: Assn.; Nat. Hist.; N.Y.S.: Syr.

4-7 *James Fenimore Cooper* (No. 455)

(1949; 16 mm, 18 mins. \$120)

Motion picture biography of Cooper with details of his life on the New York frontier, his education, his naval career, and his writing of historical novels.

(Jr., Sr., Adult) Rental: Assn.; Nat. Hist.; N. Y. S.: Syr.

4-8 *Susan B. Anthony* (No. 555)

(1951; 16mm, 19 mins. \$120)

Highlights in the career of this pioneer advocate of women's rights and supporter of humanitarian reforms.

(Jr., Sr., Adult) Rental: Syr.

4-9 *Susan B. Anthony*

(1959; 35mm filmstrip, approximately 50 frames. \$3.00)

A filmstrip version in the "Builders of America" series, adapted from the above motion picture.

(Elem., Jr.)

ALSO:

*American Indian Cultures—Plains and Woodlands*

(35mm filmstrips, approximately 50 frames, color. \$6.00)

(Elem.)

Colorful drawings depict activities and surroundings of Indians similar to those who lived in the area that became New York State.

4-10 "The Young Manhood of Quick Otter" (Eastern Woodland Indians, I)

4-11 "The Travels of Quick Otter" (Eastern Woodland Indians, II)

4-12 *The War from Saratoga to Valley Forge* (No. 8854)

(1959; 35mm filmstrip, 50 frames, color. \$6.00)

One of the series on "The American Revolution," this filmstrip uses paintings of portraits and battle scenes to show the plans and outcome of Burgoyne's campaign in 1777 and engagements in the vicinity of Philadelphia.

(Jr., Sr.)

## NEW YORK HISTORY

### 5. ENRICHMENT TEACHING MATERIALS

246 Fifth Avenue, New York 1, N. Y.

Recorded dramatizations and pictorial filmstrips based on "Landmark Books." Each recording treats two separate historic events. Both types of teaching aids include background information and details on the significance of the subjects.

(Jr.)

- 5-1 *Alexander Hamilton and Aaron Burr* (ERL 117A)  
(1959; 12" LP \$5.95)  
Hamilton's career, with mention of his financial policies, leading to a climax in the famous duel. Combined with *Trappers and Traders of the Far West* (ERL 117B)
- 5-2 *Robert Fulton and the Steamboat* (ERL 112B)  
(1956; 10" LP \$4.95)  
Fulton's problems in producing a steamboat and the successful voyage of the *Clermont*. Combined with *The Panama Canal* (ERL 112A).
- 5-3 *Robert Fulton and the Steamboat* (EFL 10)  
(1956; 35mm filmstrip, 43 frames; color. \$6.50)  
A visual presentation of Fulton's efforts and the success of the *Clermont*.
- 5-4 *The Erie Canal* (ERL 114A)  
(1957; 10" LP \$4.95)  
Construction difficulties, the completion and importance of the canal. Combined with *The First Overland Mail* (ERL 114B)
- 5-5 *Teddy Roosevelt and His Rough Riders* (ERL 118B)  
(1959; 12" LP \$5.95)  
Details of the Spanish-American War and the part played by Roosevelt and the Rough Riders, with an account of Roosevelt's career and a brief excerpt from a recording of his actual voice. Combined with *Commodore Perry and the Opening of Japan* (ERL 118A)

### 6. EYE GATE HOUSE INC.

146-01 Archer Avenue, Jamaica 35, L. I., N. Y.

*New York State: A Regional Study* (1)

(1957; 10 35mm filmstrips, approximately 28 frames; color; \$4.00 each, or \$30 for the complete set)

Colorful drawings, maps, and photographs illustrate the geography, historic development, and contemporary communities and economic activities of New York State. With class discussions, the filmstrips will

## SIGHTS AND SOUNDS OF HISTORY

aid in providing concrete, realistic views on the subject. The material could have been more intensive, and unfortunately, contains some errors.

(Elem., Jr.)

- 6-1 "Geographic Features of New York State" (1A)
- 6-2 "Geographic Features of New York State, Part 2" (1B)
- 6-3 "The Colonial Period" (1C)
- 6-4 "The Era of the Revolution" (1D)
- 6-5 "The Civil War Era, 1848-1876" (1E)
- 6-6 "Education in New York State" (1F)
- 6-7 "Some Typical New York Communities" (1G)
- 6-8 "Northern New York" (1H)
- 6-9 "Important and Famous Industries" (1I)
- 6-10 "Important and Famous Industries, Part 2" (1J)  
*The American Pioneer* (71)  
(1955; 9 35mm filmstrips, approximately 23 frames; color; \$4.00 each, or \$25 for the complete set)  
Careful documentation of rural life in the early 19th-century based on scenes in the Village Crossroads of the Farmers' Museum, Cooperstown. This set illustrates typical activities of agrarian families and communities in upstate New York.  
(Jr.)
- 6-11 "Conquering the Wilderness" (71A), removing trees and setting out crops.
- 6-12 "Pioneer Home Life" (71B), duties and handicrafts of the housewife with assistance of her children.
- 6-13 "Travel in Pioneer Days" (71C), roads, railroads, canals, and inns.
- 6-14 "Household Handicrafts" (71D), steps in spinning, weaving, and dyeing cloth.
- 6-15 "Pioneer Artisans" (71E), the blacksmith, cobbler, cabinetmaker, broommaker, and printer.
- 6-16 "Children at Home and at School" (71F), their schooling and recreation.
- 6-17 "Pioneer Professions" (71G), the local doctor, druggist, and lawyer.
- 6-18 "A Pioneer Village" (71H), the general store and community activities.
- 6-19 "Pioneer Folk Art" (71I) painting, carving, and other forms of expression by folk artists.  
*Our Presidents—Series One* (118)  
(1959; 35mm filmstrips; color; \$4.00 each)  
Highlights of the lives and administrations of each of the Presidents.  
(Elem., Jr.)

## NEW YORK HISTORY

- 6-20 "Martin Van Buren, William H. Harrison, and John Tyler" (118E)
- 6-21 "James K. Polk, Zachary Taylor, and Millard Fillmore" (118F)
- 6-22 "Rutherford B. Hayes, James A. Garfield, and Chester Allan Arthur" (118I)
- 6-23 *Theodore Roosevelt, Man of Action* (65F)  
(1956; 35mm filmstrip, 25 frames; color. \$4.00)  
A filmstrip in a "Leaders of America" series, this production illustrates leading events in Roosevelt's life. (Elem., Jr.)
- 6-24 *New York: Growth of a City* (Museum Extension Service No. 10)  
(1954; 35mm filmstrip, 48 frames; color. \$6.00)  
Development of the city during 300 years, from the Dutch settlement to the UN, as shown in prints, paintings, photographs, and dioramas. (Jr.)
- 6-25 *The Statue of Liberty* (Museum Extension Service No. 29)  
(1956; 35mm filmstrip, 38 frames, color. \$6.00)  
How this famous statue in New York Harbor was planned, constructed and financed, as an example of international cooperation. (Jr.)

## 7. FOLKWAYS RECORDS

117 West 46th Street, New York 36, N. Y.

- 7-1 *Songs of a New York Lumberjack* (FA 2354)  
(1958; 12" LP \$5.95)  
Ellen Steckert sings 18 traditional and popular sentimental songs that she collected from 81-year old Ezra "Fuzzy" Barhight, of Cohocton, who learned them from his mother, and from lumberjacks in northern Pennsylvania and New York's Southern Tier. (Jr., Sr., Col., Adult)
- 7-2 *The Cannonsville Story* (FS 3852)  
(1957; 12" LP \$5.95)  
Story-teller Bob Gregory combines with fiddler Grant Rogers to present a program of reminiscences and anecdotes with traditional and recent fiddle pieces. (Jr., Sr., Adult)
- 7-3 *Interview with Jim Farley* (FC 7355)  
(1959; 10" LP \$4.95)  
Comments on political organizations, activities, and



### SIGHTS AND SOUNDS OF HISTORY

personalities, with particular reference to Al Smith and Franklin D. Roosevelt.

(Jr., Sr., Col., Adult)

#### ALSO:

- 7-4 *1, 2, 3, and A Zing, Zing, Zing* (FC 7003)  
(1953; 10" LP \$4.95)  
Games, songs, and music performed by teen-agers on New York City streets.  
(Jr.)
- 7-5 *Sounds of My City* (FS 7341)  
(1957; 10" LP \$4.95)  
An affectionate aural portrait of New York City in its music and noises.  
(Jr., Sr., Adult)
- 7-6 *Nueva York* (FD 5559)  
(1956; 12" LP \$5.95)  
The impact of Puerto Rican migration on New York City is illustrated in interviews and music.  
(Sr., Col., Adult)

#### 8. INTERNATIONAL GEOGRAPHIC PICTURES CORP.

1776 Broadway, New York 19, N. Y.

##### 8-1 *Influence of Geography and History on the Port of New York*

(1950; 16mm, 12 mins.; color. Sale price not known)  
Explanation, in animated drawings, of how New York harbor developed into the world's most important port.

(Jr., Sr., Adult) Rental: N.Y.S., Syr.

#### 9. THE JAM HANDY ORGANIZATION

2821 East Grand Boulevard, Detroit 11, Michigan

##### 9-1 *Theodore Roosevelt*

(35mm filmstrip, 41 frames, color, \$5.75)

The fifth title in a series on "Famous Americans," this strip uses full-color drawings to trace Roosevelt's life and his contributions to American history.

(Elem., Jr.)

#### ALSO:

##### 9-2 *French Explorations*

(1952; 35mm filmstrip, 15 frames, color, \$3.25)

Number 6 in the "Age of Discovery and Exploration" series of "mapstrips," these maps trace voyages of Verrazzano, Cartier, Champlain, Joliet, and La Salle.

(Elem., Jr.)

##### 9-3 *English and Dutch Explorations*

## NEW YORK HISTORY

(1952; 35mm filmstrip, 14 frames, color. \$3.25)  
Part of the "mapstrip" series (No. 7) on "Age of Discovery and Exploration," this filmstrip uses a sequence of maps to show routes of voyages of discovery and of attempts to seek a direct passage to the East.  
(Elem., Jr.)

### 10. MC GRAW-HILL BOOK COMPANY

Text-Film Division

330 West 42nd Street, New York 36, N. Y.

*Great Explorers Series*

(1952; 35mm filmstrips, approximately 40 frames, color. \$6.00 each)

(Elem., Jr.)

#### 10-1 "Champlain" (2nd Series, No. 3)

Champlain's explorations in New France and his relations with the Indians.

#### 10-2 "Hudson" (2nd Series, No. 6)

Main events during Hudson's explorations of the Hudson River and Hudson Bay.

*Children of Early America Series*

(1950; 35mm filmstrips, approximately 40 frames, color. \$6.00 each)

(Elem.)

#### 10-3 "The Patroon's Gift" (2nd Series, No. 3)

Adventures of a young apprentice in New Netherland in 1660.

#### 10-4 "Towpath Boy" (2nd Series, No. 5)

Scenes and activities along the Erie Canal on a trip to Albany in 1827.

ALSO:

#### 10-5 *Indians of the Eastern Woodlands*

(1956; 35mm filmstrips, approximately 42 frames, color. \$6.00 for each title or \$32.50 for the complete set)

Views of life, customs and contributions of Indians similar to those who lived in New York State when the first white man arrived.

(Elem., Jr.)

"Clothing" (1)

"Arts and Crafts" (4)

"Food" (2)

"Life and Customs" (5)

"Shelter" (3)

"Dances and Ceremonies" (6)

*You Are There Series*

Dramatic reenactments of historic events as produced for the famous TV series.

### SIGHTS AND SOUNDS OF HISTORY

(1955-1957; 16mm, 28 mins.; available on a 15-year lease for \$135 per title)

- (Jr., Sr., Adult) Rental: Syr.
- 10-6 "Benedict Arnold's Plot Against West Point"  
The flight of Arnold and the capture of Andre.
- 10-7 "Washington's Farewell to His Officers"  
Events of 1783 at Fraunces' Tavern in New York City.
- 10-8 "The Hamilton-Burr Duel"  
Preliminaries and outcome of the tragic duel of 1804.
- 10-9 "The Overthrow of the Tweed Ring"  
*Harper's Weekly's* campaign against the corruption of Boss Tweed.
- 10-10 "Susan B. Anthony Is Tried For Voting"  
The 1873 trial of the famous woman suffragist after her part in an election at Canandaigua.

#### ALSO:

- 10-11 "P. T. Barnum Presents Jenny Lind"  
Exciting events accompanying the arrival of the "Swedish Nightingale" for her debut at Castle Garden in 1850.

### 11. MGM RECORDS

1540 Broadway, New York 19, N. Y.

- 11-1 *Eleanor Roosevelt in Conversation with Arnold Michaelis* (E 3648 RP)  
(1957; 12" LP \$4.98)

Mrs. Roosevelt's comments sparkle with intimate references to her husband, her uncle Theodore Roosevelt, and many political figures of contemporary fame.

(Sr., Col., Adult)

### 12. THE NATIONAL ACADEMY FOR ADULT JEWISH STUDIES

1109 Fifth Avenue, New York 28, N. Y.

Dramatized incidents in individual lives, as produced by the Jewish Theological Seminary for the "Frontiers of Faith" television programs. Available by rental only from the National Academy for Adult Jewish Studies, \$6.50 for a single showing.

- 12-1 *No Wreath and No Trumpet*  
(1954; 16mm, 30 mins.)

Some aspects of the life of Emma Lazarus, the poetess whose famous verses appear on the base of the Statue of Liberty.

(Sr., Adult)

Rental: The National Academy for Adult Jewish Studies

## NEW YORK HISTORY

### ALSO:

- 12-2 *Lawyer from Boston*  
(1956; 16mm, 30 mins.)  
The early career of Louis D. Brandeis, which is especially significant for his part in settling a strike in the New York City clothing industry.  
(Sr., Col., Adult) Rental: The National Academy for Adult Jewish Studies

### 13. NATIONAL FILM BOARD OF CANADA

Canada House

680 Fifth Avenue, New York 19, N. Y.

- 13-1 *Age of the Beaver*  
(1951; 16mm, 17 mins. Sale price \$80)  
This brief history of the fur trade in Canada shows the influence of furs on exploration and settlement, and helps illustrate the importance of the fur trade in colonial New York.  
(Jr., Sr.) Rental: Contemp.

### 14. NET FILM SERVICE

Audio-Visual Center

Indiana University, Bloomington, Indiana

Black and white 16mm films of television programs presented by members of college faculties. Available for rental only. The fee of \$4.75 per film, covers use for one to five days. All orders should reach the Audio-Visual Center at least two weeks before the requested date of use.

*Before There Was a U.S.A.*

Lecture series presented, in 1955, by Rev. John Francis Bannon, S.J., Director of Department of History, St. Louis University. Lucid, forceful, and mature explanations of the subject but with only a minimum of pictorial materials and maps. 29 minutes each.

(Sr., Col., Adult) Rental Net Film Service

- 14-1 "Wooden Shoes on the Hudson" (NET-755)  
Development of the Dutch Empire with special attention to the voyages of Henry Hudson and the history of New Netherland.
- 14-2 "From Fish to Furs in the North" (NET-756)  
The French Empire in North America with emphasis on its beginnings in the fishing and fur trade, missionary affairs and Indian rivalry.

### ALSO:

### SIGHTS AND SOUNDS OF HISTORY

- 14-3 "Contest for North America" (NET 758)  
Anglo-French rivalry in the colonial wars as part of the world-wide competition between the two European powers.
15. NEW YORK STATE DEPARTMENT OF COMMERCE  
FILM LIBRARY  
28 Howard Street, Albany 7, N. Y.
- 15-1 *American Battleground*  
(1956; 16mm, 29 mins., color. Sale price approximately \$175)  
This prize-winning film tells "the story of the Revolutionary War in New York State" by combining views of historic sites and reproductions of paintings and portraits with dramatic re-enactments.  
(Jr., Sr., Col., Adult) Rental: New York State Department of Commerce Film Library
- 15-2 *Highways of History—The Hudson-Champlain Valleys*  
(1959; 16mm, 29 mins., color. Sale price approximately \$175)  
Highlights of 350 years of history along these historic waterways, utilizing materials similar to those in the above film.  
(Jr., Sr., Col., Adult) Rental: New York State Department of Commerce Film Library.
16. NEW YORK-VERMONT INTERSTATE COMMISSION  
Ticonderoga, N. Y.
- 16-1 *The Lake Champlain Valley*  
(1959; 16mm, 15 mins.; color. Sale price not known)  
History of the Champlain Valley with emphasis on its scenic, recreational, and historical facilities.  
(Jr., Sr., Adult) Rental: N.Y.S.
17. RIVERSIDE RECORDS  
235 West 46th Street, New York 19, N. Y.
- 17-1 *Eleanor Roosevelt in Conversation with Ben Grauer*  
(RLP 7012)  
(1957; 12" LP \$5.95)  
Mrs. Roosevelt makes many candid observations about her experiences as a young girl and about her connections with local, national, and international politics.  
(Sr., Col., Adult)
18. TEACHING FILM CUSTODIANS  
25 West 43rd Street, New York 36, N. Y.

## NEW YORK HISTORY

Distributors of 16mm editions of educationally significant motion pictures produced originally for showing in commercial motion picture theaters. Some short subjects are available in their entirety; feature-length films have been specially excerpted for school use. T.F.C. films may *not* be used where admission is charged. Available directly from T.F.C. by lease only. Films may be rented from the usual rental sources.

- 18-1 *Drums Along the Mohawk*  
(1949; 16mm, 31 mins.)  
Excerpted from the 20th Century-Fox feature film by the Motion Picture Subcommittee of the Audiovisual Committee of the National Council for the Social Studies, this well-known release illustrates the New York frontier during the Revolutionary War.  
(Jr., Sr., Adult) Rental: Nat. Hist.; Syr.
- 18-2 *The Story That Couldn't Be Printed*  
(1939; 16mm, 11 mins.)  
The career of John Peter Zenger, his newspaper's criticism of the royal governor, his trial for libel, and his subsequent acquittal in this view of a milestone in the freedom of the press.  
(Jr., Sr., Adult) Rental: Nat. Hist.; Syr.
- 18-3 *Teddy the Rough Rider*  
(1940; 16mm, 19 mins.; color)  
Biographical survey of Theodore Roosevelt's offices and activities, from 1898 to 1914.  
(Jr., Sr., Adult) Rental: Nat. Hist.; Syr.  
ALSO:
- 18-4 *Angel of Mercy*  
(1939; 16mm, 10 mins.)  
A biography of Clara Barton, her activities during the Civil War and her attempts to establish a Red Cross organization.  
(Jr., Sr., Adult) Rental: Nat. Hist.; Syr.
- 18-5 *Flag of Humanity*  
(1940; 16mm, 19 mins., color)  
Another filmed biography of Clara Barton and her efforts to organize the Red Cross as an international agency.  
(Jr., Sr., Adult) Rental: Nat. Hist.
- 18-6 *Washington Square*  
(1954; 16mm, 20 mins.)  
Excerpted from the Paramount production *The Heiress*, from Henry James's novel, *Washington Square*, this film introduces the principal characters

#### SIGHTS AND SOUNDS OF HISTORY

in the mid-19th century setting of New York City. This version lacks a conclusion to stimulate reading of the novel and discussion of the problems.  
(Sr., Adult) Rental: Nat. Hist.

#### 19. UNITED WORLD FILMS

1445 Park Avenue, New York 29, N. Y.

19-1 *Theodore Roosevelt—American*  
(1958; 16mm, 26 mins. \$58.21)

A lively motion picture biography made from photographs, drawings, cartoons, and newsreel films to show Roosevelt's career in New York State as well as in national and international affairs.

(Sr., Col., Adult) Rental: Assn.

#### 20. YALE UNIVERSITY PRESS FILM SERVICE

386 Fourth Avenue, New York 16, N. Y.

"The Chronicles of America Filmstrips" are based on a motion picture series of the same name, produced in the 1920's for classroom use. With added maps and pictures, the filmstrips, like the original silent films, are characterized by careful attention to details of setting and costume, although some of the appearances have a dated quality.

20-1 *Peter Stuyvesant* (No. 5)

(1959; 35mm filmstrip, 37 frames. \$7)

Life in New Netherland, the hostility of England to the Dutch colony, and the decision of the Dutch to surrender their feeble fortress at New Amsterdam.

(Jr.)

#### ALSO:

20-2 *President Washington* (No. 14)

(1959; 35mm filmstrip, 37 frames. \$7)

Opening with Washington's inauguration in New York City, the filmstrip also touches on Hamilton's financial policies and shows the development of Washington's concept of the presidency.

(Jr.)

## NEW YORK HISTORY

### RENTAL SOURCES

- Assn.— Association Films  
Broad at Elm, Ridgefield, New Jersey  
(Tel: WHitney 3-8200)
- Contemp.— Contemporary Films, Inc.  
267 West 25th Street, New York 1, N. Y.  
(Tel: OREGon 5-7220)
- Nat. Hist.—Film Library  
The American Museum of Natural History  
Central Park West at 79th Street, New York 24, N.Y.  
(Tel: TRafalgar 3-1300)
- N. Y. S.— Film Library  
New York State Department of Commerce  
28 Howard Street, Albany 7, N. Y.  
(Tel: HObart 2-7511, Ext. 3731)
- Syr.— Educational Film Library  
Syracuse University  
Bldg. D-7, Collendale Campus, Syracuse 10, N. Y.  
(Tel: GRanite 5-7763)

Other Film Libraries which have many, but not all, of the films listed here, but which have not been specifically noted, are:

Film Library  
Audio Visual Department  
State University College of Education  
135 Western Avenue, Albany 3, N. Y.

Film Library  
Boston University School of Education  
332 Bay Street Road, Boston 15, Massachusetts

Ideal Pictures  
1558 Main Street, Buffalo 8, N. Y.  
and  
233-39 West 42nd Street, New York 36, N. Y.

Audio-Visual Center  
Division of University Extension, Indiana University  
Bloomington, Indiana



## New York State Historical Association

*EXECUTIVE OFFICES: Fenimore House, Cooperstown, New York*

The Association was organized in 1899 and since that time has been carrying forward an increasingly active program in many fields of interest to those who are historically minded. Its long list of publications bespeaks its reputation for scholarship, its vitalized museums bespeak its keen interest in bringing to the everyday citizen appreciation of our past. The Association is a membership organization chartered by the Board of Regents but receiving no financial aid from any governmental agency.

### MEMBERSHIP

New members are welcome upon application to the Director.

Dues: Annual, \$5.00; Junior, \$1.50; Life, \$100.00; Endowment, \$500.00; Benefactor, \$5,000.00. Joint membership, if husband and wife, \$5.00, but only one copy of *New York History* will be sent for a single payment of \$5.00. A member is entitled to *New York History* (quarterly) and, for an additional dollar a year, *The Yorker* (magazine published for our junior members); free admission to the museums; use of the library; discount on books sold in our book shop and certain Association publications; fellowship with others interested in New York state and local history.

### JUNIOR PROGRAM

This statewide program initiates and sponsors local chapters for study of state and local history, promotes conferences and historical writing among students. *The Yorker* is the junior magazine.

### LIBRARY

At Fenimore House in Cooperstown the Association operates a library especially designed for the interests of our members. There are important collections of books, manuscripts, and printed materials on New York State history, rural life, the folk arts and crafts, the history of agriculture and small businesses.

### DIXON RYAN FOX FELLOWSHIPS

From time to time the Trustees authorize grants to facilitate the publication of manuscripts relating to some aspect of New York State history. These are in memory of the late President of the Association, Dr. Dixon Ryan Fox.

### SEMINARS

The Seminars on American Culture held each summer in Cooperstown are an opportunity for members and others to explore areas of special scholarly interests with nationally known experts.

### LOCAL HISTORY WORKSHOPS

Each year the Association holds, usually on some college campus, a week-end workshop devoted to various aspects of local history studies and of special value to local historians and members of local history societies.


### AFFILIATES

The New York Folklore Society and the Society for the Preservation of Indian Lore are affiliated with the Association.

### THE MUSEUMS

**FENIMORE HOUSE** at Cooperstown specializes in social history, art and folk art of the state.

**THE FARMERS' MUSEUM** at Cooperstown is a museum of New York State folk life in the eighteenth and nineteenth centuries, and includes the Village Crossroads.



**LOCAL HISTORY WORKSHOP, SEPTEMBER 7-9, 1960**  
**At State University College of Education at Oswego**



